



# MARCH OF EVENTS

(BEING THE CASE OF THE INDIAN NATIONAL CONGRESS)

Vol. III

1946

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## EXPLANATION

This compilation is the third volume of the "March of Events", the first having been published on 15th September 1940 and the second on 20th December 1945. This volume is brought up to 4th July 1946 and contains resolutions passed by the Congress Working Committee from March onwards, the correspondence that passed between the Congress President and the Viceroy in connection with the British Cabinet Mission's visit to India and their efforts for a Constituent Assembly, the tripartite correspondence at Simla prior to the failure of Simla Conference II, as well as the correspondence that passed between the Cabinet Mission and the Viceroy on the one hand and Mr. Jinnah on the other. The Cabinet Mission's proposals of May 16 and the Viceroy's statement of June 16 regarding Interim Government are also published. The compilation is literally up-to-date.

Maximum attention has been paid to arrange all the material in chronological order so that it should give the reader an exact idea of political developments. It is hoped this will help the reader to understand and correctly estimate the Congress stand.

Congress House,  
Bombay 4.  
4th July 1946.

S. K. PATIL,  
President,  
Bombay Provincial Congress Committee.



# INDIAN NATIONAL ARMY

## THE FIRST AND THE MOST IMPORTANT CASE

NEW DELHI, Jan. 3, 1946.

Captain Shah Nawaz Khan of 1/14 Punjab Regiment, Captain Premkumar Sahgal of 2/10 Baluch Regiment and Lieutenant Gurubax Singh Dhillon of 5/14 Punjab Regiment who had all joined the Indian National Army, organised by the Provisional Government of Free India under the leadership of Sri Subhas Chandra Bose, at Singapore (Shonan) during 1943-45, were arrested as prisoners of war after the Allied forces recaptured Malaya and Burma and were later put on trial before a Court Martial in the Red Fort of Delhi. They were all charged with waging war against His Majesty the King Emperor of India, Lt. Dhillon with the offence of committing murder of Hari Singh, Dulichand, Daryao Singh and Dharam Singh on or about 6th March, 1945, and the other two with abetment of murder.

The Court Martial that tried the accused in this case consisted of Major-General A. B. Blaxland (President), Brigadier, A. J. H. Bourke, Lt.-Col. C. R. Stott, Lt.-Col. T. I. Stevenson, Lt.-Col. Nasir Ali Khan, Major B. Pritam Singh and Major Banwari Lal, all of Indian Army. Col. F. C. A. Kerin was appointed as the Judge-Advocate. Sir Nusserwanji P. Engineer, Advocate-General of India, assisted by Lt.-Col. P. Walsh conducted the Prosecution, while the accused were defended by a Committee consisting of Sri Bhulabhai J. Desai, Rt. Hon. Sir Tej Bahadur Sapru, Pandit Jawaharlal Nehru, Dr. Kailash Nath Katju, Mr. Asaf Ali, Bukshi Sir Tek Chand, Rai Bahadur Badri Dass, Kanwar Sir Dalip Singh, Dr. P. K. Sen, Md. Shafi Daudi, Inder Deo Dua, Shiv Kumar Shastri, Ranbeer Chand Soni, Rajinder Narayan, Sultan Yar Khan, Sri Narayan Andley and J. K. Khanna. The defence

was organised by the committee appointed by the Working Committee.

The trial continued with short intervals for more than two months during which the Prosecution tendered voluminous documentary evidence and cited many witnesses in support of the grave charges against the accused. At the concluding stage of the case Sri Bhulabhai J. Desai, Advocate, Bombay, as the leading counsel for the Defence, delivered his address, which will take a very high rank in the history of such trials on account of fullness, forensic skill, the exposition of the principles of International law and the brilliance of argument. The trial attracted international attention and received world-wide publicity. It came to a close on 3rd January 1946 when H.E. the Commander-in-Chief, Sir Claude Auchinleck, as the Confirming Officer in this case issued the following communique:—

"Capt. Shah Nawaz Khan, Capt. Sahgal and Lt. Dhillon have stood their trial by Court Martial on charges against all three of waging war against the King Emperor, Lt. Dhillon being also charged with murder and the other two with abetment of murder.

"The findings of the Court are that all three are guilty of the charge of waging war, while Capt. Shah Nawaz Khan is also convicted of the charge of abetment of murder, Lt. Dhillon is acquitted of the charge of murder and Capt. Sahgal of the charge of abetment of murder.

"Having found the accused guilty of the charge of waging war, the Court was bound to sentence the accused either to death or to transportation for life; no lesser sentence was permissible under the law.

"The sentence of the Court on all three accused is transportation for life, cashiering and forfeiture of arrears of pay and allowances.

"No finding or sentence by Court Martial is complete until confirmed. The Confirming Officer in this case the Commander-in-Chief, is satisfied that the findings of the

Court are in each instance in conformity with the evidence and he has, therefore, confirmed them.

"The Confirming Officer is, however, competent to mitigate, commute or remit the sentences. As already stated in the Press, it is the policy of the Government of India to bring to trial in future only such persons as are alleged, in addition to waging war against the State, to have committed acts of gross brutality; and it has been announced that in reviewing sentences in any trials the competent authority will have regard to the extent to which the acts proved offend against the canons of civilised behaviour.

"Lt. Dhillon and Capt. Sahgal have been acquitted of the charges of murder, and abetment of murder and it has not been alleged that they were guilty of other acts of brutality. Although Capt. Shah Nawaz Khan has been found guilty of abetment of murder and the acts proved against him were harsh, the prevailing circumstances have been taken into account by the Confirming Officer.

"The Commander-in-Chief has decided, therefore, to treat all three accused in the same way in the matter of sentence, and to remit the sentences of transportation for life against all three accused.

"He has, however, confirmed the sentences of cashiering and forfeiture of arrears of pay and allowances, since it is in all circumstances a most serious crime for an officer or soldier to throw off his allegiance and wage war against the State.

"This is a principle which it is essential to uphold in the interests of the stability of any Government by Law established, present or future."

### **PRIORITY LABEL**

NEW DELHI, Jan. 28, 1946.

Addressing the Central Legislature Lord Wavell, Viceroy, said:

"Whitehall and Delhi gave a priority label to India's freedom."



## MOST COMPLEX PROBLEM

LONDON, Feb. 8, 1946.

Lord Pethick-Lawrence referring to India said:

"The politics of India are far from simple. They are one of the most complex problems that ever confronted anyone in the whole world. If by a miracle we are able to reach a step in the direction of solution, I think, we shall have been very well favoured indeed. It will certainly not be for want of trying. We are certainly going to try our very best."

## BRITISH CABINET MISSION

LONDON, Feb. 10, 1946.

Lord Pethick-Lawrence announced in the House of Lords that three Cabinet Ministers, namely, Lord Pethick-Lawrence, Sir Stafford Cripps and Mr. Alexander, would be going out to India to discuss with leaders of Indian opinion the framing of an Indian constitution. The Mission would go out to India towards the end of March, announced Mr. Attlee in the House of Commons.

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## WORKING COMMITTEE'S RESOLUTIONS

Following resolutions were passed by the Working Committee, at their meeting held in Bombay from March 12 to 15, 1946.

### (1) FOOD-CRISIS

Whereas the war and its aftereffects have already created a serious food situation which has been materially aggravated by the failure of rains in many parts of India with the result that the country is faced with both food and cloth famine, it is essential that the policy of the Government and the people should be one at this time of crisis. Hunger makes no distinction between high and low, Hindu and Muslim, or any other. But the real burden of suffering inevitably will fall on the poor. In the circumstances the Working Committee would like to make its policy clear.

1. The first thing in these difficult times is for the people not to lose heart. Everyone should realise his personal duty and perform it to the best of his ability, believing that, if everyone acted likewise, India will be able to surmount all difficulties with courage and confidence and be able to save thousands of poor lives.

Every villager and townsman should, therefore, do the best he can for his neighbour and for himself.

2. Everyone, who possesses any land, should in the shortest time grow such foodstuffs on it as he can. Cultivable land lying waste should be speedily brought under the plough and every facility should be given for this purpose by the State.

3. After fulfilling his own minimum requirements from his produce he should make the remainder available for others who may be in need.

4. Preference should be given to food-crops over money-crops wherever practicable.

5. People should sink ordinary wells and dig tanks wherever there is scarcity of water and all facilities for this purpose should be given by the State and local bodies.

6. It is the duty of the rich today to live simply and divert their energy and wealth towards productive and constructive activities for the relief of distress.

7. Every effort should be made to secure supplies from abroad, but we should not feel helpless in any case. On the contrary, we must produce all we can in India and be prepared to face all emergencies with the resources available. It must be remembered that even the receipt of additional imports or the raising of additional crops will not serve the purpose in view unless the supplies reach in time the starving places and are equitably distributed there.

8. All food should be economically used and expenditure on occasions of marriages and other ceremonies must be avoided.

9. Process of canning and preservation of fruits should be encouraged and widely adopted so that full use may be made of all available fruits and no part thereof may be wasted.

10. It is the duty of the State to put all their available resources of manpower, technical skill and mechanical appliances, whether civil or military, for growing, preserving and transporting food to wherever necessary. All exports of cereals, foodstuffs, oilseeds, oilcakes, groundnuts, oil and other edibles should be absolutely prohibited.

11. The State should sink deep wells and adopt other means of water supply wherever necessary. Demobilised and discharged personnel from the defence services including the I.N.A. should be utilised for increasing the production of foodstuffs.

12. The Committee expects the nation to make all necessary sacrifice for relieving distress in the country and for making successful any reasonable schemes of rationing and procurement and any measure for checking, hoarding, blackmarketing and corruption that may have to be taken on hand.

13. It is clear that just as it is the duty of the public to cooperate in all helpful ways, so it is the primary duty of the Government to understand and fulfil the essential needs of the people. Measures for meeting the serious situation cannot be fully successful and effective unless power vests in the people.

14. So far as want of cloth is concerned it is the duty of the State and the people alike to render every assistance to the villagers in order to enable them to produce by their own effort enough Khadi in the villages. The State should provide facilities for cotton growing or cotton itself and instruments of production and instructors where necessary.

15. Congress Committees and Congressmen are advised to help in every way to give effect to the recommendations in this resolution.

## 2. INTERNATIONAL SITUATION.

The Working Committee have noted with grave concern the growing tension in the international situation, resulting in open recrimination between the Great Powers and attempts on their part, to secure or hold on to colonial areas and vantage points and create satellite States, which may lead to possible future conflicts. The war that has recently ended has, in spite of the professions made in the course of it, neither ended the imperialist domination of subject countries nor the era of power politics. The old imperialism still continues and in addition new types of imperialism are growing. The recent U.N.O. Conference in London is startling evidence of the fact that instead of a new order of free and united nations evolving, there is disunity among the leading nations and a lack of freedom over vast areas. Oil is still the lure of imperial domination, and security and preservation of the so-called life-lines of empire or strategic outposts are made the excuses for expansion as well as retention of colonial areas. This continuation of the old and discredited policy which has led already to two disastrous World Wars, is likely to result in yet another war, on a more colossal and destructive scale.

It is evident that peace and freedom cannot grow out of these seeds of continuing conflict and war. Imperialist policy has to be discarded not only in the interests of subject nations but also to rid the world of the peril that might overwhelm humanity. It has thus become urgently necessary to end foreign domination over the countries of Asia and Africa, and for foreign armies to be withdrawn from all such countries, and notably from Indonesia, Manchuria, Indo-China, Iran and Egypt. India still remains the crux of the problem of Asian Freedom and on the independence of India depends the freedom of many countries and the peace of the world.

## 3. INDIANS IN SOUTH AFRICA

The Working Committee of the Indian National Congress are of opinion that the disabilities of the Indian

settlers in South Africa constitute a blot on humanity and a slur on the civilization of the West. As the submission to His Excellency the Viceroy of the Indian Deputation from South Africa shows, the disabilities are an unbroken tale of progressive prejudice against Asiatics defined as "any Turk and any member of a race or tribe whose national home is in Asia but which does not include any member of the Jewish or the Syrian race or a person belonging to the race or class known as the Cape Malay", and of broken promises and declarations. A civilization that requires for its protection a series of legal enactments imposing political and economic restrictions on coloured and Asiatic peoples must contain seeds of future wars and its own destruction.

The Committee are of opinion that the contemplated breach of trade relations between India and the Union of South Africa is the mildest step that the Government of India could have taken. The Committee would ask the Government of India forthwith to withdraw their High Commissioner, if the Union Government would not suspend the proposed legislation, pending the convening of a Round Table Conference between the two governments to consider the whole policy of the Union Government against non-White peoples of the earth.

The Committee are painfully surprised to find Field Marshal Smuts, the Premier of the Union, dismissing, on the untenable plea of regarding the proposed anti-Asiatic bill as a domestic affair, the right of the Indian Government and, by parity of reasoning, of the other Allied Powers, of friendly intervention. The Committee hold that at this time of the day it is not open to any State, however powerful it may be, to refuse to listen to the public opinion of the world as voiced through its different States, with reference to any legislation regarded by them as of an inhuman character or as amounting to a slur on the self-respect of the races comprising such a State.

The Committee venture to advise the victorious Allies to take notice of the contemplated action of the Govern-

ment of South Africa inasmuch as the late war would have been fought in vain if now the persistence by the Union Government of South Africa in the bar sinister against Asiatic races and coloured people inhabiting that sub-continent is maintained.

To the Indian Deputation from South Africa the Committee would say that whilst they (the Committee) and, indeed, the whole of India, irrespective of parties or communities, are with them in their just struggle and would lend them all the moral weight they can, they should realise that the brunt of the unequal struggle will have to be borne by them, and the Committee feel assured that the Indians in South Africa will worthily carry out the example set by them years ago of vindicating their self-respect and that of the Motherland by the noble rule of self-suffering.

The Committee would, however, fain hope, even at the eleventh hour, that in the place of the indefensible law of the jungle, which the policy as revealed by the contemplated legislation enunciates, the Government of the Union of South Africa and its white settlers would listen to reason and the appeal of the moral law by which mankind lives.

#### 4. RECENT DISTURBANCES

The Working Committee of the Indian National Congress are of opinion that the recent disturbances created by the people in Bombay, Delhi, Calcutta and other places were in every way harmful and were an obstacle in the way of the Congress. These included arson and incendiarism whether of private shops or public places, looting, especially destruction of foodstuffs, frightening pedestrians, compelling people to shout slogans, compelling Europeans to remove their hats and otherwise molesting them. All these acts were manifestly against the policy of non-violence adopted by the Congress and were derogatory to national dignity. Whilst there is nothing but unmixed condemnation of popular frenzy, this Committee, without prejudicing the military

action taken in order to deal with the recent outburst of violence, are of opinion that the popular belief, generally and justly has been that such action has been taken in excess of necessity and in order to strike terror in the hearts of the people and that therefore the military have bulletted passers-by or even innocent people, men, women or children standing in their own galleries. Any such action, at the present moment, instead of cowing down the populace, has the effect of infuriating it. The Committee, therefore ask the Government to institute an inquiry into the military action taken in the various places and hope that the inquiry will be open and public and will have on it representatives with judicial qualifications and enjoying public confidence. At the same time the Committee hope that the people will observe restraint befitting the Congress and help the conference between the Cabinet Mission and the representatives of the people to carry on their work in a calm atmosphere.

### 5. CONGRESS SESSION

The Committee considered the question of holding the next session of the Congress. They were of opinion that in view of the vital importance of the issues before the country and the fact that the full session had not been held for many years, it was desirable to hold it as early as possible after the election of the delegates and the President according to the time-table already announced by the A.I.C.C. Office. In view, however, of the food situation and other impending developments, the time and venue of the session should be decided later by the Working Committee.

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### MR. ATTLEE'S SPEECH

LONDON, March 15, 1946.

The Prime Minister of Great Britain announced that a Mission consisting of three Cabinet Ministers, Lord Pethick-Lawrence, Sir Stafford Cripps and Mr. Alexander was going out to India to help solve the Indian political problem. The following is the text of his speech in the House of Commons.

## MR. ATTLEE

"I thank Mr. Butler for his very helpful, wise and constructive speech. He has done great service in Indian affairs for many years and he comes of a family that has given many most distinguished public servants.

"I think that the tone in which he addressed the House is just what is needed today at this critical stage in the relationship of these two countries, at a time of very high tension.

"I find from our friends in this House who had been out to India and returned and from letters received from Indians and from Englishmen in India of all points of view complete agreement on the fact that India is today in a state of great tension and that this is indeed a critical moment.

"I am quite sure that everyone in this House realises the difficulty of the task which the members of the Mission have undertaken in conjunction with the Viceroy and that no one will desire to say anything whatever that will make that task more difficult.

"I entirely agree with Mr. Butler in saying that the Mission should go out in a positive mood. That, indeed is the mood in which they are undertaking this mission. It is time emphatically for very definite and clear action.

"I do not intend to make a long speech. I do not think it would be wise to do so and in particular it would be most unhelpful to review the past. It is so easy to go back over the past and in accordance with one's predilections to apportion blame for past failures in long-drawn-out discussions on this extraordinarily difficult problem—the problem of development of India to a completely self-governing nation.

"In the long period of the past, it is so easy to point out and say that at this stage or that stage opportunities were missed by faults on one side or the other.

"I have had very close connection with this problem for nearly 20 years and I say that there have been faults on both sides, but this time, we should look to the future rather than harp back to the past.



"Thus I would say that it is no good applying the formula of the past to the present position. The temperature of 1946 is not the temperature of 1926, 1930 or even 1942. The slogans of earlier days are discarded. Sometimes, words that seemed at that time to Indians to express the height of their aspirations are now set on one side and other words and ideas thrust forward.

"Nothing increases the pace and movement of public opinion more than a great war. Everyone who had anything to do with this question in the early days between the war knows what effect the war of 1914-18 had on Indian aspirations and ideas. The tide that runs comparatively slowly in peace, in war time becomes vastly accelerated, and especially directly afterwards, because that tide is to some extent banked up during war. I am quite certain that at the present time the tide of nationalism is running very fast in India and indeed all over Asia. .

"One always has to remember that India is affected by what happens elsewhere in Asia. I remember when I was on the Simon Commission what effect the challenge that had been thrown out by Japan at that time had had on the Asiatic people and the tide of nationalism that at one time seemed to be canalised among a comparatively small portion of the people of India, mainly a few of the educated classes, has tended to spread wider and wider.

"I remember that in the Simon Commission report that, although there were great differences in expression of the nationalistic sentiment between what were called extremist and moderates and although in many instances there might be such stress of communal claims as may seem almost to exclude the conception of nationalism, yet we found that Hindus, Muslims, Sikhs and Mahrattas, politicians or civil servants, among all of them, the conception of nationalism had been growing stronger and stronger, and today I think that the national idea has spread right through, not the least perhaps among some of those soldiers who have done such wonderful service in the war.

"I would like today, therefore, not to stress so much the differences between Indians, but let us all realise that, whatever the difficulties and divisions may be, there is this underlying demand among all the Indian people.

"Mr. Butler did not suggest that Government should publish any exact terms of reference to the Mission. We have set out the general purposes and it is our intention that they should be given as free a hand as possible.

"There will be matters undoubtedly on which it is necessary to refer back for Cabinet decision, but in our fluid position at the present time, when we desire to get the utmost co-operation and goodwill between all leaders of Indian opinion, it would be unwise to try and tie down those who are going out too rigidly.

"The obvious reason for sending out the Cabinet Ministers is that you send out persons of responsibility who are able to take decisions. Of course, there must be an area in which there may have to be a reference back.

"Mr. Butler has stressed the great part India has played in the war. It is worth remembering that twice in 25 years India has played a great part in the defeat of tyranny. Therefore, is it any wonder that today she claims—a nation of 400,000,000 people that twice, sent her sons to die for freedom—that she should herself have freedom to decide her own destiny. (Cheers).

"My colleagues are going to India with the intention of using their utmost endeavours to help her to attain that freedom as speedily and fully as possible. What form of government is to replace the present regime is for India to decide, but our desire is to help her to set up forthwith a machinery for making that decision.

"There you have met with the initial difficulty of getting that machinery set up, but we are resolved that a machinery shall be set up and we seek the utmost co-operation of all Indian leaders to do so.

"India herself must choose as to what will be her future situation and her position in the world. Unity may come through the United Nations or through the Com-

monwealth, but no great nation can stand alone by herself without sharing what is happening in the world. I hope that India may elect to remain within the British Commonwealth. I am certain that she will find great advantage in doing so, but if she does, she must do it of her own free will, for the British Commonwealth and Empire is not bound together by chains of external compulsion. It is a free association of free peoples.

"If, on the other hand, she elects for independence—and in our view she has a right to do so—it will be for us to help to make the transition as smooth and easy as possible."

Mr. Attlee continued: "We have united India and given her that sense of nationality which she largely lacked in the previous centuries and she has learnt from us principles of democracy and justice. When Indians attack our rule they base their attack not on Indian principles but on the basis of standards derived from Britain."

Mr. Attlee said he was impressed by an incident which occurred when he recently visited the United States. He was having dinner with a number of distinguished Americans and distinguished Indians and the talk turned on the way in which principles worked out in Britain are applied on the continent of America. It was pointed out that America had a great heritage from Britain.

"My Indian friend said that Americans sometimes forgot that there was another great nation that had inherited those principles and that was India", added the Premier. "We feel we have a duty, right and privilege, because we also bring to the world and work those principles that were evolved in Britain.

"I am well aware that when I speak of India I speak of a country containing congeries of races, religions and languages and I know well the difficulties thereby created, but these difficulties can only be overcome by Indians.

"We are mindful of the rights of the minorities and the minorities should be able to live free from fear. On the other hand, we cannot allow a minority to place their veto on the advance of a majority.

"We cannot dictate how these difficulties shall be overcome. Our first duty is to get a machinery of decision set up and that is the main purpose of the Ministerial Mission and the Viceroy.

"We want to see set up an interim Government—one of the purposes of the Bill which has been discussed to-day—to give the Viceroy greater freedom in order that, in the period which is to elapse while a constitution is being worked out, you may have a Government enjoying the greatest possible support in India. I would not like to fetter the Viceroy's decision in any way in regard to the choice of portfolios.

"In many Indian States a great advance has been made and there is a most interesting experiment in Travancore. Of course, feelings in India with regard to nationalism cannot be confined by boundaries that separate the States from the provinces.

"I am very well aware of the minority problem in India. I think all Indian leaders are realising more and more the need for getting a settlement of these minority problems if India is to have a smooth passage in future years and, I believe that due provision will be made for them in the constitution.

"The Mission will certainly not neglect this point, but you cannot make the Indians responsible for governing themselves and at the same time retain over here the responsibility for treatment of the minorities and powers of intervention on their behalf.

"We are mindful too of the position of the Services and of the men who have done great service to India. India should be sensible of the responsibility she has to those who have served her.

"The Government which takes over the assets of the present Government will also take over the liabilities. That again is a point to be dealt with later on. It does not concern the immediate setting up of the instrument of decision.

"With regard to the treaty, we are not going to hang out for anything for our own advantage which would be to the disadvantage of India.

"Let me stress again the crucial nature of the task before us. This problem is of vital importance not only to India and the British Commonwealth and Empire but also to the world.

"In the mass of Asia, an Asia ravaged by war, we have here the one country that has been seeking to apply the principles of democracy. I have always felt myself that political India might be the light of Asia.

"It is most unfortunate that just at the time when we have to deal with these great political issues that there should be grave economic difficulties. In particular we have very grave anxiety over India's food supply.

"The House knows that the British Government are deeply concerned in this problem and the Minister of Food is now over in the United States with the Indian delegation. We shall do our utmost to help India.

"I do not think that I should refer to the social and economic difficulties except to say that I believe that these difficulties can only be solved by Indians themselves because they are so closely bound up with the whole Indian way of life and outlook. Whatever we can do to assist we shall do.

"My colleagues are going out to India resolved to succeed, and I am sure everyone will wish them god-speed."

## BRITISH CABINET MISSION ARRIVES IN DELHI

March 24, 1946.

Lord Pethick-Lawrence and Sir Stafford Cripps arrived in New Delhi in the afternoon. Mr. Alexander also arrived though separately.

## CABINET MISSION SEES GANDHIJI

NEW DELHI, April 1.

Lord Pethick-Lawrence had a 75-minute interview with Mahatma Gandhi in the evening.

The Cabinet Mission had talks with Dr. Khan Saheb and Shri Gopinath Bardoloi, Prime Ministers of North-west Frontier Province and Assam, respectively.

Sir Stafford Cripps affirmed that past promises of the British Government regarding minorities in India stood.

NEW DELHI, April 3.

Formal interviews were held between the Cabinet Mission on the one hand and Mahatma Gandhi and Maulana Azad on the other. It was reported: "A feeling of quiet optimism concerning the outcome of the mission prevails in high Congress circles."

### **CABINET MISSION SEES JINNAH**

NEW DELHI, April 4.

Mr. Jinnah had three hours' interview with the Cabinet Delegation. He entered the Secretariat precisely at 10 a.m. and emerged a little after one o'clock.

### **CABINET MISSION MEETS MINORITIES**

NEW DELHI, April 5.

Two minorities—the Sikhs and the Depressed Classes—presented their views to the Cabinet Mission.

Two other visitors from the Punjab, Malik Sir Khizr Hyat Khan and Sardar Baldev Singh also met the Mission.

### **CABINET MISSION MEETS OPPOSITION LEADERS**

NEW DELHI, April 8.

The Cabinet Mission received the Leaders of the Opposition in Madras, Bombay, U.P. and C.P. Legislatures. In the afternoon the Mission met Nationalist Harijan leaders.

April 10.

The Cabinet Mission received representatives of the Europeans, Anglo-Indians and Indian Christians.

## CABINET MISSION TAKES HOLIDAY

April 19.

The three members of the British Cabinet Mission accompanied by members of their personal staff arrived in Srinagar this morning by air. They are staying at the State Guest House.

April 24.

The Cabinet Mission returned to Delhi from their holiday tour in Kashmir.

## CONFERENCE IN SIMLA

Simla, May 1, 1946.

The members of the Cabinet Mission and the Viceroy arrived in Simla this afternoon. Maulana Abul Kalam Azad, Congress President, arrived a little earlier by car. Mahatma Gandhi, Pandit Jawaharlal and Shri J. B. Kripalani, General Secretary of the A.I.C.C. left Delhi by special train for Simla at night. About one hundred newspaper correspondents also left Delhi for Simla. Sardar Vallabhbhai Patel arrived in Simla today.

SIMLA, May 5.

The Tripartite Conference, i.e. the conference of British Ministers, spokesmen of the Congress and spokesmen of the Muslim League, opened at 10 a.m. and sat up to 12-30 p.m. Again it met from 4 to 5-30 p.m.

May 6.

After two days' sitting the Simla Conference adjourned till the afternoon of May 8, without reaching any decision.

May 8.

The Conference is postponed to 3 p.m. tomorrow.

May 9.

Today's Conference opened at 5 p.m. and adjourned about an hour later, when Mr. Jinnah and Pandit Jawaharlal conferred for about 30 minutes. Thereafter the Conference reassembled only to adjourn till May 11. This morning was occupied by meetings between Maulana

Azad and Pandit Jawaharlal on the one hand and Sir Stafford Cripps on the other, while Mr. Jinnah conferred with Lord Wavell.

The Nawab of Bhopal met the Cabinet Mission.

The members of the Governor-General's Executive Council including the Commander-in-Chief have placed their respective portfolios at the disposal of His Majesty the King and of the Viceroy in order to facilitate the arrangements which the Cabinet Mission and the Viceroy are seeking to make.

May 10.

Simla Conference II is, so to say, living on oxygen. The Nawab of Bhopal met Pandit Nehru at his residence. His Highness also called on Mr. Jinnah and had a long talk with him.

May 11.

Simla Conference II has failed.

## BRITISH CABINET MISSION'S PROPOSALS

NEW DELHI, May 16, 1946.

After the failure of the Simla Conference the Cabinet Mission returned to Delhi. On May 14 the Cabinet discussed the Indian situation in London. On Thursday, May 16 the Cabinet Mission published a statement in which they reviewed the situation and made their proposals for the solution of India's constitutional problem. The following is the full text of the statement:

1. On March 15 last, just before the despatch of the Cabinet Delegation to India, Mr. Attlee, the British Prime Minister, used these words:—

“My colleagues are going to India with the intention of using their utmost endeavours to help her to obtain her freedom as speedily and fully as possible. What form of Government is to replace the present regime is for India to decide; but our desire is to help her to set up forthwith the machinery for making that decision.



"I hope that India and her people may elect to remain within the British Commonwealth. I am certain that they will find great advantages in doing so.

"But if she does so elect, it must be by her own free will. The British Commonwealth and Empire is not bound together by chains of external compulsion. It is a free association of free peoples. If, on the other hand, she elects for independence, in our view she has a right to do so. It will be for us to help to make the transition as smooth and easy as possible."

2. Charged in these historic words we—the Cabinet Ministers and the Viceroy—have done our utmost to assist the two main political parties to reach an agreement upon the fundamental issue of the unity or division of India. After prolonged discussions in New Delhi we succeeded in bringing the Congress and the Muslim League together in a Conference at Simla. There was a full exchange of views and both parties were prepared to make considerable concessions in order to try and reach a settlement but it ultimately proved impossible to close the remainder of the gap between the parties and so no agreement could be concluded. Since no agreement has been reached we feel that it is our duty to put forward what we consider are the best arrangements possible to ensure a speedy setting up of the new constitution. This statement is made with the full approval of His Majesty's Government in the United Kingdom.

3. We have accordingly decided that immediate arrangements should be made whereby Indians may decide the future constitution of India and an Interim Government may be set up at once to carry on the administration of British India until such time as a new Constitution can be brought into being. We have endeavoured to be just to the smaller as well as to the larger sections of the people; and to recommend a solution which will lead to a practicable way of governing the India of the future, and will give a sound basis for defence and a good opportunity for progress in the social, political and economic field.

4. It is not intended in this statement to review the voluminous evidence that has been submitted to the Mission; but it is right that we should state that it has shown an almost universal desire, outside the supporters of the Muslim League for the unity of India. . .

5. This consideration did not, however, deter us from examining closely and impartially the possibility of a partition of India; since we were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu-majority rule. This feeling has become so strong and widespread amongst the Muslims that it cannot be allayed by mere paper safeguards. If there is to be internal peace in India it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion and economic or other interests.

6. We therefore examined in the first instance the question of a separate and fully independent sovereign State of Pakistan as claimed by the Muslim League. Such a Pakistan would comprise two areas, one in the north-west consisting of the Provinces of the Punjab, Sind, North-West Frontier and British Baluchistan; the other in the north-east consisting of the Provinces of Bengal and Assam. The League were prepared to consider adjustment of boundaries at a later stage, but insisted that the principle of Pakistan should first be acknowledged. The argument for a separate State of Pakistan was based first, upon the right of the Muslim majority to decide their method of Government according to their wishes, and secondly, upon the necessity to include substantial areas in which Muslims are in a minority, in order to make Pakistan administratively and economically workable.

The size of the non-Muslim minorities in a Pakistan comprising the whole of the six Provinces enumerated above would be very considerable as the following figures show:—

North-Western Area—				Muslim	Non-Muslim.
Punjab	..	..		16,217,242	12,201,577
North-West F. Province	..			2,788,797	249,270
Sind	..	..	..	3,208,323	1,326,688
Br. Baluchistan	..	..		438,930	62,701
				<hr/> 22,653,294	<hr/> 13,840,231
				<hr/> 62.07%	<hr/> 37.93%
North-Eastern Area—					
Bengal	..	..		33,003,434	27,301,091
Assam	..	..	..	3,442,470	6,762,234
				<hr/> 36,447,013	<hr/> 34,063,345
				<hr/> 51.69%	<hr/> 48.31%

The Muslim minorities in the remainder of British India number some 20 million dispersed amongst a total population of 188 million.

These figures show that the setting up of a separate sovereign State of Pakistan, on the lines claimed by the Muslim League, would not solve the communal minority problem; nor can we see any justification for including within a sovereign Pakistan those districts of the Punjab and of Bengal and Assam in which the population is predominantly non-Muslim. Every argument that can be used in favour of Pakistan, can equally in our view be used in favour of the exclusion of the non-Muslim areas from Pakistan. This point would particularly affect the position of Sikhs.

7. We therefore considered whether a smaller sovereign Pakistan confined to the Muslim majority areas alone might be a possible basis of compromise. Such a Pakistan is regarded by the Muslim League as quite impracticable because it would entail the exclusion from.

Pakistan of (a) the whole of the Amritsar and Jullundur Divisions in the Punjab; (b) the whole of Assam except the district of Sylhet; and (c) a large part of Western Bengal, including Calcutta, in which city the Muslims form 23.6 per cent of the population. We ourselves are also convinced that any solution which involves a radical partition of the Punjab and Bengal, as this would do, would be contrary to the wishes and interests of a very large proportion of the inhabitants of these Provinces. Bengal and the Punjab each has its own common language and a long history and tradition. Moreover, any division of the Punjab would of necessity divide the Sikhs leaving substantial bodies of Sikhs on both sides of the boundary. We have therefore been forced to the conclusion that neither a larger nor a smaller sovereign State of Pakistan would provide an acceptable solution for the communal problem.

8. Apart from the great force of the foregoing arguments there are weighty administrative, economic and military considerations. The whole of the transportation and postal and telegraph systems of India have been established on the basis of a united India. To disintegrate them would gravely injure both parts of India. The case for a united defence is even stronger. The Indian armed forces have been built up as a whole for the defence of India as a whole, and to break them in two would inflict a deadly blow on the long traditions and high degree of efficiency of the Indian Army and would entail the gravest dangers. The Indian Navy and the Indian Air Force would become much less effective. The two sections of the suggested Pakistan contain the two most vulnerable frontiers in India and for a successful defence in depth the area of Pakistan would be insufficient.

9. A further consideration of importance is the greater difficulty which the Indian States would find in associating themselves with a divided British India.

10. Finally there is the geographical fact that the two halves of the proposed Pakistan State are separated by some seven hundred miles and the communications

between them both in war and peace would be dependent on the goodwill of Hindustan.

11. We are therefore unable to advise the British Government that the power which at present resides in British hands should be handed over to two entirely separate sovereign States.

12. This decision does not, however, blind us to the very real Muslim apprehensions that their culture and political and social life might become submerged in a purely unitary India, in which the Hindus with their greatly superior numbers must be a dominating element. To meet this the Congress have put forward a scheme under which Provinces would have full autonomy subject only to a minimum of Central subjects, such as Foreign Affairs, Defence and Communications. Under this scheme Provinces, if they wished to take part in economic and administrative planning on a large scale, could cede to the Centre optional subjects in addition to the compulsory ones mentioned above.

13. Such a scheme would, in our view, present considerable constitutional disadvantages and anomalies. It would be very difficult to work a Central Executive and Legislature in which some Ministers, who dealt with compulsory subjects, were responsible to the whole of India while other Ministers, who dealt with Optional subjects, would be responsible only to those Provinces which had elected to act together in respect of such subjects. This difficulty would be accentuated in the Central Legislature, where it would be necessary to exclude certain members from speaking and voting when subjects with which their Provinces were not concerned were under discussion.

Apart from the difficulty of working such a scheme, we do not consider that it would be fair to deny to other Provinces, which did not desire to take the optional subjects at the Centre, the right to form themselves into a group for a similar purpose. This would indeed be no

more than the exercise of their autonomous powers in a particular way.

14. Before putting forward our recommendation we turn to deal with the relationship of the Indian States to British India. It is quite clear that with the attainment of independence by British India, whether inside or outside the British Commonwealth, the relationship which has hitherto existed between the Rulers of the States and the British Crown will no longer be possible. Paramountcy can neither be retained by the British Crown nor transferred to the new Government. This fact has been fully recognised by those whom we interviewed from the States. They have at the same time assured us that the States are ready and willing to co-operate in the new development of India. The precise form which their co-operation will take must be a matter for negotiation during the building up of the new constitutional structure, and it by no means follows that it will be identical for all the States. We have not therefore dealt with the States in the same detail as the Provinces of British India in the paragraphs which follow.

### PROPOSALS FOR A CONSTITUTION

15. We now indicate the nature of a solution which in our view would be just to the essential claims of all parties, and would at the same time be most likely to bring about a stable and practicable form of constitution for All-India.

We recommend that the constitution should take the following basic form:—

- (1) There should be a Union of India, embracing both British India and the States, which should deal with the following subjects: Foreign Affairs, Defence, and Communications; and should have the powers necessary to raise the finances required for the above subjects.
- (2) The Union should have an Executive and a Legislature constituted from British Indian and States representatives. Any question raising a

major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting.

- (3) All subjects other than the Union subjects and all residuary powers should vest in the Provinces.
- (4) The States will retain all subjects and powers other than those ceded to the Union.
- (5) Provinces should be free to form Groups with executives and legislatures, and each Group could determine the Provincial subjects to be taken in common.
- (6) The constitutions of the Union and of the Groups should contain a provision whereby any Province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of 10 years and at 10 yearly intervals thereafter.

16. It is not our object to lay out the details of a constitution on the above lines, but to set in motion the machinery whereby a constitution can be settled by Indians for Indians.

It has been necessary however for us to make this recommendation as to the broad basis of the future constitution because it became clear to us in the course of our negotiations that not until that had been done was there any hope of getting the two major communities to join in the setting up of the constitution-making machinery.

### THE MACHINERY

17. We now indicate the constitution-making machinery which we propose should be brought into being forthwith in order to enable a new constitution to be worked out.

18. In forming any Assembly to decide a new Constitutional structure the first problem is to obtain as

broad-based and accurate a representation of the whole population as is possible. The most satisfactory method obviously would be by election based on adult franchise; but any attempt to introduce such a step now would lead to a wholly unacceptable delay in the formulation of the new Constitution. The only practicable alternative is to utilize the recently elected Provincial Legislative Assemblies as the electing bodies. There are, however, two factors in their composition which make this difficult. First, the numerical strengths of the Provincial Legislative Assemblies do not bear the same proportion to the total population in each Province. Thus, Assam with a population of 10 millions has a Legislative Assembly of 108 members, while Bengal, with a population six times as large, has an Assembly of only 250. Secondly, owing to the weightage given to minorities by the Communal Award, the strengths of the several communities in each Provincial Legislative Assembly are not in proportion to their numbers in the Province. Thus the number of seats reserved for Muslims in the Bengal Legislative Assembly is only 48 per cent of the total, although they form 55 per cent of the Provincial population. After a most careful consideration of the various methods by which these inequalities might be corrected, we have come to the conclusion that the fairest and most practicable plan would be—

- (a) to allot to each Province a total number of seats proportional to its population, roughly in the ratio of one to a million, as the nearest substitute for representation by adult suffrage.
- (b) to divide this provincial allocation of seats between the main communities in each Province in proportion to their population.
- (c) to provide that the representatives allotted to each community in a Province shall be elected by the members of that community in its Legislative Assembly.

We think that for these purposes it is sufficient to recognise only three main communities in India: General,



Muslim, and Sikh, the "General" community including all persons who are not Muslims or Sikhs. As the smaller minorities would, upon the population basis, have little or no representation since they would lose the weightage which assures them seats in the Provincial Legislatures, we have made the arrangements set out in paragraph 20 below to give them a full representation upon all matters of special interest to the minorities.

### NUMBERS OF REPRESENTATIVES

19. (1) We therefore propose that there shall be elected by each Provincial Legislative Assembly the following numbers of representatives, each part of the Legislature (General, Muslim or Sikh) electing its own representatives by the method of proportional representation with the single transferable vote:—

#### Table of Representation.

##### SECTION A.

Province.	General	Muslim.	Total.
Madras .. .. .	45	4	49
Bombay .. .. .	19	2	21
United Provinces .. .. .	47	8	55
Bihar .. .. .	31	5	36
Central Provinces .. .. .	16	1	17
Orissa .. .. .	9	0	9
Total ..	167	20	187

##### SECTION B.

Province.	General.	Muslim.	Sikh.	Total
Punjab .. .. .	8	16	4	28
North-West Frontier Province .. .. .	0	3	0	3
Sind .. .. .	1	3	0	4
Total ..	9	22	4	35

## SECTION C.

Province	General	Muslim	Total
Bengal .. ..	27	33	60
Assam .. ..	7	3	10
Total .. ..	34	36	70
Total for British India			292
Maximum for Indian States			93
Total			385

Note.—In order to represent the Chief Commissioners Provinces there will be added to Section A the Member representing Delhi in the Central Legislative Assembly, the Member representing Ajmer-Merwara in the Central Legislative Assembly, and a representative to be elected by the Coorg Legislative Council.

To Section B will be added a representative of British Baluchistan.

(ii) It is the intention that the States should be given in the final Constituent Assembly appropriate representation which would not, on the basis of the calculations adopted for British India, exceed 93, but the method of selection will have to be determined by consultation. The States would in the preliminary stage be represented by a Negotiating Committee.

(iii) The representatives thus chosen shall meet at New Delhi as soon as possible.

(iv) A preliminary meeting will be held at which the general order of business will be decided, a Chairman and other officers elected, and an Advisory Committee (see paragraph 20 below) on the rights of citizens, minorities, and tribal and excluded areas set up. Thereafter the provincial representatives will divide up into the three sections shown under A, B, and C, in the Table of Representation in sub-paragraph (i) of this paragraph.

(v) These sections shall proceed to settle the Provincial Constitutions for the Provinces included in each sec-

tion, and shall also decide whether any Group Constitution shall be set up for those Provinces and, if so with what provincial subjects the Group should deal. Provinces shall have the power to opt out of the Groups in accordance with the provisions of sub-clause (viii) below.

(vi) The representatives of the sections and the Indian States shall reassemble for the purpose of settling the Union Constitution.

(vii) In the Union Constituent Assembly resolutions varying the provisions of paragraph 15 above or raising any major communal issue shall require a majority of the representatives present and voting of each of the two major communities. The Chairman of the Assembly shall decide which (if any) of the resolutions raise major communal issues and shall, if so requested by a majority of the representatives of either of the major communities, consult the Federal Court before giving his decision.

(viii) As soon as the new constitutional arrangements have come into operation, it shall be open to any Province to elect to come out of any Group in which it has been placed. Such a decision shall be taken by the new legislature of the Province after the first general election under the new constitution.

20. The Advisory Committee on the rights of citizens, minorities, and tribal and excluded areas should contain full representation of the interests affected, and their function will be to report to the Union Constituent Assembly upon the list of Fundamental Rights, the clauses for the protection of minorities, and a scheme for the administration of the tribal and excluded areas, and to advise whether these rights should be incorporated in the Provincial, Group, or Union constitution.

21. His Excellency the Viceroy will forthwith request the Provincial Legislatures to proceed with the election of their representatives and the States to set up a Negotiating Committee. It is hoped that the process of constitution-making can proceed as rapidly as the complexities of the task permit so that the interim period may be as short as possible.

22. It will be necessary to negotiate a Treaty between the Union Constituent Assembly and the United Kingdom to provide for certain matters arising out of the transfer of power.

23. While the constitution-making proceeds, the administration of India has to be carried on. We attach the greatest importance therefore to the setting up at once of an interim Government having the support of the major political parties. It is essential during the interim period that there should be the maximum of co-operation in carrying through the difficult tasks that face the Government of India. Besides the heavy task of day-to-day administration, there is the grave danger of famine to be countered; there are decisions to be taken in many matters of post-war development which will have a far-reaching effect on India's future; and there are important international conferences in which India has to be represented. For all these purposes a Government having popular support is necessary. The Viceroy has already started discussions to this end, and hopes soon to form an Interim Government in which all the portfolios, including that of War Member, will be held by Indian leaders having the full confidence of the people. The British Government, recognising the significance of the changes in the Government of India, will give the fullest measure of co-operation to the Government so formed in the accomplishment of its tasks of administration and in bringing about as rapid and smooth a transition as possible.

### APPEAL

24. To the leaders and people of India who now have the opportunity of complete independence we would finally say this. We and our Government and countrymen hoped that it would be possible for the Indian people themselves to agree upon the method of framing the new constitution under which they will live. Despite the labours which we have shared with the Indian Parties, and the exercise of much patience and goodwill by all, this has not been possible. We therefore now lay before you proposals

which, after listening to all sides and after much earnest thought, we trust will enable you to attain your independence in the shortest time and with the least danger of internal disturbance and conflict. These proposals may not, of course, completely satisfy all parties, but you will recognise with us that at this supreme moment in Indian history statesmanship demands mutual accommodation.

We ask you to consider the alternative to acceptance of these proposals. After all the efforts which we and the Indian Parties have made together for agreement, we must state that in our view there is small hope of peaceful settlement by agreement of the Indian Parties alone. The alternative would therefore be a grave danger of violence, chaos, and even civil war. The result and duration of such a disturbance cannot be foreseen; but it is certain that it would be a terrible disaster for many millions of men, women and children. This is a possibility which must be regarded with equal abhorrence by the Indian people, our own countrymen, and the world as a whole.

We therefore lay these proposals before you in the profound hope that they will be accepted and operated by you in the spirit of accommodation and goodwill in which they are offered. We appeal to all who have the future good of India at heart to extend their vision beyond their own community or interest to the interests of the whole four hundred millions of the Indian people.

We hope that the new independent India may choose to be a member of the British Commonwealth. We hope in any event that you will remain in close and friendly association with our people. But these are matters for your own free choice. Whatever that choice may be we look forward with you to your ever increasing prosperity among the great nations of the world, and to a future even more glorious than your past.

(\*All population figures in this statement are from the most recent census taken in 1941).

## SECRETARY OF STATE PLEDGES BRITISH GOODWILL

NEW DELHI, May 16

Lord Pethick-Lawrence, Secretary of State for India, broadcast from the Delhi Station of All-India Radio soon after the issue of the Cabinet Mission's statement tonight. He said:

"The words which I shall speak to you are concerned with the future of a great people—the people of India. There is a passionate desire in the hearts of Indians, expressed by the leaders of all their political parties, for independence.

"His Majesty's Government and the British people as a whole are fully ready to accord this independence, whether within or without the British Commonwealth, and hope that out of it will spring a lasting and friendly association between our two peoples on a footing of complete equality."

"Nearly two months ago I, as Secretary of State for India, and my two Cabinet colleagues, Sir Stafford Cripps and Mr. Alexander, were sent out by His Majesty's Government to India to assist the Viceroy in setting up in India the machinery by which Indians can devise their own constitution.

"We were at once confronted with a major obstacle. The two principal parties—the Muslim League, who won the great majority of the Muslim seats in the recent elections, and the Congress, who won the majority of all the others—were opposed to one another as to the kind of machinery to be set up. The Muslim League claimed that British India should be divided into completely separate sovereign states, and refused to take part in constitution-making unless this claim was conceded in advance. The Congress insisted on one single united India.

"During our stay in India we have tried by every means to secure such an accommodation between the parties as would enable constitution-making to proceed.

Recently we were able to bring them together at Simla in a conference with ourselves; but, though both sides were prepared to make substantial concessions, it was not found possible to reach complete agreement. We have, therefore, been compelled ourselves to seek for a solution which, by securing the main objects of both parties, will enable constitution-making machinery to be brought into immediate operation.

"While we recognise the reality of the fear of the Muslim League that, in a purely unitary India, their community, with its own culture and way of life, might become submerged in a majority Hindu rule we do not accept the setting up of a separate Muslim sovereign state as a solution of the communal problem.

" 'Pakistan', as the Muslim League would call their state, would not consist solely of Muslims. It would contain a substantial minority of other communities which would average over 40 per cent, and, in certain wide areas would even constitute a majority—as for instance, in the city of Calcutta, where the Muslims form less than one third of the population.

"Moreover, the complete separation of Pakistan from the rest of India would, in our view, gravely endanger the defence of the whole country by splitting the army into two and by preventing that defence in depth which is essential in modern war. We, therefore, do not suggest the adoption of this proposal.

"Our own recommendations contemplate a constitution of three tiers, at the top of which would be the Union of India with an executive and legislature empowered to deal with the essential subjects of external affairs, defence and communications and the finance necessary for these services. At the bottom would be the Provinces, which would have, apart from the subjects I have just named, complete autonomy. But we contemplate further that Provinces will wish to unite together in groups to carry out in common services covering a wider area than that of a single Province; and these groups may have, if they wish, legislatures and executives which, in that

event, will be intermediate between those of the Provinces and those of the Union.

"On this basis, which makes it possible for the Muslims to secure the advantages of a Pakistan without incurring the dangers inherent in the division of India, we invite Indians of all parties to take part in framing a constitution. The Viceroy will accordingly summon to New Delhi representatives of British India who will be elected by the members of the Provincial Legislatures in such a way that, as nearly as possible for each one million of the population, there will be one representative, and that the proportion between the representatives of the main communities will be on the same basis.

"After a preliminary meeting in common, these representatives of the Provinces will divide themselves up into three sections, the composition of which is laid down, and which, if the Provinces ultimately agree, will become the three groups. These sections will decide upon provincial and group matters. Subsequently they will reunite to decide upon the constitution for the union. After the first elections under the new constitution, Provinces will be free to opt out of the group into which they have been provisionally placed.

"We appreciate that this machinery does not of itself give any effective representation to other than the principal minorities and we are therefore providing for a special committee to be set up, in which the minorities will play a full part. The business of this committee will be to formulate fundamental and minority rights and to recommend their inclusion in the constitution at the appropriate level.

"So far I have said nothing about the Indian States, which comprise a third of the area of India and contain about one-quarter of the whole population. These States at present are each separately governed and have individual relationships with the British Crown. There is general recognition that, when British India attains independence the position of these States cannot remain unaffected, and it is anticipated that they will wish to take



part in the constitution-making process and be represented in the All-India Union. It does not, however, lie within our province to decide these matters in advance as they will have to be the subject of negotiation with the States before action can be taken.

"During the making of the constitution, the administration must be carried on and we attach, therefore, the greatest importance to the setting up at once of an interim government having the support of the major political parties. The Viceroy has already started discussions to this end and he hopes to bring them shortly to a successful issue.

"During the interim period the British Government, recognising the significance of the changes in the Government of India, will give the fullest measure of co-operation to the government so formed in the accomplishment of its tasks of administration and in bringing about as rapid and smooth a transition as possible.

"The essence of statecraft is to envisage the probable course of future events but no statesmen can be wise enough to frame a constitution which will adequately meet all the requirements of an unknown future. We may be confident, therefore, that the Indians on whom falls the responsibility of creating the initial constitution will give it a reasonable flexibility and will make provision for it to be revised and amended as required from time to time.

"In this short talk you will not expect me to go into further details regarding our proposals, which you can read in the statement which has been released for publication this evening. But, in conclusion, I will repeat and emphasise what to me is the fundamental issue.

"The future of India and how that future is inaugurated are matters of vital importance not only to India herself but to the whole world. If a great new sovereign state can come into being in a spirit of mutual goodwill both within and without India, that of itself will be an outstanding contribution to world stability.

"The government and people of Britain are not only willing, they are anxious to play their full part in achiev-

ing this result. But the constitution for India has to be framed by Indians and worked by Indians when they have brought it into being. We appreciate to the full the difficulties which confront them in embarking on this task. We have done and we will continue to do all that lies in our power to help them to overcome these difficulties. But the responsibility and the opportunity is theirs and in their fulfilment of it we wish them God-speed."

## GANDHI ON MISSION'S PROUD ACHIEVEMENT

NEW DELHI, May 17, 1946

The Cabinet Mission's proposals contained the seeds to convert this land of sorrow into one without sorrow and suffering, declared Mahatma Gandhi, addressing this evening's prayer congregation. He asked the people to examine the proposals not from a parochial standpoint but that of the whole country. It was open, he said, for the Constituent Assembly to abolish the distinction of Muslims and non-Muslims which the Mission had felt forced to recognise. The provinces were free to reject the very idea of grouping.

Subject to these interpretations, he would tell them that the Mission had brought forth something of which they had every reason to be proud. Speaking after the evening prayer, Gandhiji gave his reactions to the Cabinet Mission's proposals and said he did not want to contradict himself by asking them to follow his ideas if they did not appeal to them. Every one should think for himself and herself. They were to weigh opinions and adopt only those they had assimilated.

He had glanced at the document casually last night. He read it carefully in the morning. It was not an award. The Mission and the Viceroy had tried to bring the parties together but they could not bring about an agreement. So they had recommended to the country what in their opinion, was worthy of acceptance by the Constituent Assembly. It was open to that body to vary them, reject them or improve upon them.

There was no "take it or leave it" business about their recommendations. If there were restrictions, the Constituent Assembly would not be a sovereign body free to frame a constitution of independence for India. Thus the Mission had suggested for the Centre certain subjects. It was open to the Assembly, the majority vote of Muslims and non-Muslims separately, to add to them or even reduce them. It was good that they were not described as Hindus, Muslims, Sikhs and other religious communities. That was an advance. What they aimed at was the absence of all religious divisions for the whole of India as a political entity and it was open to the Assembly to abolish the distinction which the Mission had felt forced to recognise. Similarly about grouping. The provinces were free to reject the very idea of grouping. No province could be forced against its will to belong to a group even if the idea of grouping was accepted. He instanced only two things to illustrate his point. He had not exhausted the list of things which seemed to him to be open to objection or improvement.

There were some who said Englishmen were incapable of doing the right thing. He did not agree with them. The Mission and the Viceroy were as God-fearing as they themselves claimed to be. It was beneath their dignity as men to doubt a person before he was proved to be untrue to his word. The late Mr. Charlie Andrews was every inch of him an Englishman who had died slaving for India. It would be grievously wrong to doubt in advance everyone of his countrymen. Whatever the wrong done to India by British rule, if the statement of the Mission was genuine, as he believed it was, it was in the discharge of an obligation they had declared the British owed to India, namely, to get off India's back.

### **LORD WAVELL'S BROADCAST**

May 17, 1946

The Viceroy (Lord Wavell), broadcast from Delhi on Friday evening on the Cabinet Mission's proposals.

"I speak to the people of India at the most critical hour of India's history. The statement of the Cabinet

delegation containing their recommendations has now been before you for 24 hours. It is a blue-print for freedom, an outline of which your representatives have to fill in the details and construct the building.

"You will have studied the statement, most of you, and may perhaps already have formed your opinion on it. If you think that it shows a path to reach the summit at which you have been aiming for so long, the independence of India, I am sure you will be eager to take it. If you should have formed the view—I hope you have not—that there is no passage that way, I hope that you will study again the route indicated to you, and see whether the difficulties in the path—and we know they are formidable—cannot be surmounted by skill and patience and boldness.

"I can assure you of this, that very much hard work, very much earnest study, very much anxious thought, and all the goodwill and sincerity at our command have gone to the making of these recommendations. We would much have preferred that the Indian leaders should have themselves reached agreement on the course to be followed and we have done our best to persuade them. But it has not been found possible in spite of concessions on both sides which at one time promised results. These proposals put before you are obviously not those that any one of the parties would have chosen if left to itself. But I do believe that they offer a reasonable and workable basis on which to found India's future constitution.

"They preserve the essential unity of India, which is threatened by the dispute between the two major communities. And, in especial, they remove the danger of the disruption of that great fellowship, the Indian Army, to which India already owes so much and on whose strength, unity and efficiency her future security will depend.

"They offer to the Muslim community the right to direct their own essential interests, their religion, their education, their culture, their economic and other concerns in their own way and to their own best advantage. To another great community the Sikhs, they preserve the

unity of their homeland, the Punjab, in which they have played and can still play so important and influential a part.

"They provide in the special committee which forms a feature of the constitution-making machinery the best chance for the smaller minorities to make their needs known and to secure protection for their interests. They seek to arrange a means for the Indian States, great and small, to enter by negotiations into the polity of a united India.

"They offer to India the prospect of peace—a peace from party strife, the peace so needed for all the constructive work there is to do. And they give you the opportunity of complete independence so soon as the constituent assembly has completed its labours.

"I would like to emphasise the constructive work to be done. If you can agree to accept the proposals in the statement as a reasonable basis on which to work out your constitution, then we are able at once to concentrate all the best efforts and abilities in India on the short-term problems that are so urgent. You know them well—the immediate danger of famine to be countered, and measures taken to provide more food for everyone in future years; the health of India to be remedied; great schemes of wider education to be initiated; roads to be built and improved; and much else to be done to raise the standard of living of the common man. There are also great schemes in hand to control India's water supplies, to extend irrigation, to provide power, to prevent floods. There are factories to be built and new industries to be started while, in the outside world, India has to take her place in international bodies in which her representatives have already established a considerable reputation.

"It is, therefore, my earnest desire that in these critical times ahead in the interim period while the new constitution is being built, the Government of India should be in the hands of the ablest of India's leaders, men recognised as such by the Indian people, whom they will trust to further their interests and bring them to their goal.

"As said in the statement, I am charged with the responsibility to form such a Government as soon as possible to direct the affairs of British India in the interim period. There will be no doubt in the minds of anyone, I hope, how great a step forward this will be on India's road to self-government. It will be a purely Indian government except for its head, the Governor-General, and will include, if I can get the men I want, recognised leaders of the main Indian parties whose influence, ability and desire to serve India are unquestioned. Such a government must have a profound influence and power not only in India, but also in the outside world. Some of the best ability in India, which has hitherto been spent in opposition, can be harnessed to constructive work. These men can be the architects of the new India.

"No constitution and no form of government can work satisfactorily without goodwill. With goodwill and determination to succeed, even an apparently illogical arrangement can be made to work.

"In the complex situation that faces us there are four main parties: the British; the two main parties in British India, Hindus and Muslims; and the Indian States. From all of them very considerable change of their present outlook will be required as a contribution to the general good, if this great experiment is to succeed.

"To make a concession in ideas and principles is a hard thing and not easily palatable. It requires some greatness of mind to recognise the necessity, much greatness of spirit to make the concession. I am sure that this will not be found wanting in India as I think you will admit that it has not been found wanting in the British people in this offer.

"I wonder whether you realise that this is the greatest and most momentous experiment in government in the whole history of the world—a new constitution to control the destiny of 400,000,000 people. A grave responsibility indeed on all of us who are privileged to assist in making it.

"Lastly, I must emphasise the seriousness of the choice before you. It is the choice between peaceful construction or the disorder of civil strife, between co-operation or disunity, between ordered progress or confusion. I am sure you will not hesitate in your choice for co-operation.

"May I end with some words which were quoted by one great man to another at a crisis of the late war, and may well be applied to India at this crisis:

"Thou too sail on, o ship of state.

✓ Sail on, o union, strong and great,  
Humanity with all its fears,  
With all the hopes of future years,  
Is hanging breathless on thy fate."

## THE POSITION OF INDIAN STATES IN THE INDIA OF THE FUTURE

NEW DELHI, May 22

The British Cabinet Mission and the Viceroy have published a memorandum on the question of Paramountcy and States' Treaties, which was presented by them to the Chancellor of the Chamber of Princes.

The memorandum is an amplification of paragraph 14 of the statement issued on May 16 by the Cabinet Mission and H. E. the Viceroy. It says:

"Prior to the recent statement of the British Prime Minister in the House of Commons, an assurance was given to the Princes that there was no intention on the part of the Crown to initiate any change in the rights guaranteed by their treaties and engagements without their consent. It was at the same time stated that the Princes' consent to any changes which might emerge as a result of negotiations would not unreasonably be withheld. The Chamber of Princes has since confirmed that the Indian States fully share the general desire in the country for an immediate settlement by India of her full stature. His Majesty's Government have now declared that, if the succession Government or Governments in British India desire Independence, no obstacle would be placed in their

way. The effect of these announcements is that all those concerned with the future of India wish her to attain a position of Independence within or without the British Commonwealth. The mission have come here to assist in resolving the difficulties which stand in the way of India fulfilling this wish.

"During the interim period, which must elapse before the coming into operation of a new constitutional structure under which British India will be independent or fully self-governing, Paramountcy will remain in operation. But the British Government could not, and will not, in any circumstances, transfer Paramountcy to an Indian Government.

"In the meanwhile the Indian States are in a position to play an important part in the formulation of the new constitutional structure for India, and His Majesty's Government have been informed by the Indian States that they desire, in their own interests and in the interests of India as a whole, both to make their contribution to the framing of the structure and to take their due place in it when it is completed. In order to facilitate this they will doubtless strengthen their position by doing everything possible to ensure that their administrations conform to the highest standard. Where adequate standards cannot be achieved within the existing resources of a State, they will no doubt arrange in suitable cases to form or join administrative units large enough to enable them to be fitted into the constitutional structure. It will also strengthen the position of the States during the formative period of the various Governments which have not already done so, to take active steps to place themselves in close and constant touch with public opinion in their States by means of representative institutions.

"During the interim period (before the coming into operation of a new constitutional structure under which British India will be independent or fully self-governing), it will be necessary for the States to conduct negotiations with British India in regard to the future regulation of matters of common concern, especially in the economic



and financial field. Such negotiations, which will be necessary whether the States desire to participate in the new Indian constitutional structure or not, will occupy considerable period of time, and since some of these negotiations may well be incomplete when the new structure comes into being, it will, in order to avoid administrative difficulties, be necessary to arrive at an understanding between the States and those likely to control the succession Government or Governments that for a period of time the then existing arrangements as to these matters of common concern should continue until the new arrangements are completed, in this matter, the British Government and the Crown Representative will lend such assistance as they can, should it be so desired.

"When a new fully self-governing or independent Government or Governments come into being in British India, His Majesty's Government's influence with these Governments will not be such as to enable them to carry out the obligations of Paramountcy. Moreover, they cannot contemplate that British troops would be retained in India for this purpose. Thus, as a logical sequence and in view of the desires expressed to them on behalf of the Indian States, His Majesty's Government will cease to exercise the powers of Paramountcy. This means that the rights of the States which flow from their relationship to the Crown will no longer exist and that all the rights surrendered by the States to the Paramount Power will return to the States. Political arrangements between the States on the one side and the British Crown and British India on the other will thus be brought to an end. The void will have to be filled either by the States entering into a federal relationship with the successor Government or Governments in British India, or failing this, entering into particular political arrangements with it or them.

"The Cabinet Delegation desire to make it clear that the document issued today entitled 'Memorandum on States' Treaties and Paramountcy' presented by the Cabinet Delegation to His Highness the Chancellor of the

Chamber of Princes was drawn up before the Mission began its discussions with party leaders and represented the substance of what they communicated to the representatives of the States at their first interviews with the Mission. This is the explanation of the use of the words 'successor Government or Governments of British India' an expression which would not, of course, have been used after the issue of the Delegation's recent statement."

## CONGRESS REACTION TO BRITISH PROPOSALS

NEW DELHI, May 24, 1946

The following is the full text of the Congress Working Committee's resolution on the Cabinet Mission's proposals:

"The Working Committee has given careful consideration to the statement dated May 16, 1946, issued by the Delegation of the British Cabinet and the Viceroy on behalf of the British Government, as well as the correspondence relating to it that has passed between the Congress President and the members of the Delegation. They have examined it with every desire to find a way for a peaceful and co-operative transfer of power and the establishment of a free and independent India. Such an India must necessarily have a strong central authority capable of representing the nation with power and dignity in the counsels of the world.

"In considering the statement, the Working Committee have kept in view the picture of the future, in so far as this was available to them from the proposals made for the formation of a Provisional Government and the clarification given by the members of the Delegation. This picture is still incomplete and vague. It is only on the basis of the full picture that they can judge and come to a decision as to how far this is in conformity with the objectives they aim at. These objectives are: independence for India; a strong, though limited, central authority; full autonomy for the provinces; the establishment of a democratic structure in the Centre and in the units; the guarantee of the fundamental rights of each individual

so that he may have full and equal opportunities of growth; and further that each community should have opportunity to live the life of its choice within the larger framework.

"The Committee regret to find a divergence between these objectives and the various proposals that have been made on behalf of the British Government, and, in particular, there is no vital change envisaged during the interim period when the Provisional Government will function, in spite of the assurance given in paragraph 23 of the statement. If the independence of India is aimed at then the functioning of the Provisional Government must approximate closely in fact, even though not in law, to that independence, and all obstructions and hindrances to it should be removed. The continued presence of a foreign army of occupation is a negation of independence.

"The statement issued by the Cabinet Delegation and the Viceroy contains certain recommendations and suggests a procedure for the building up of a Constituent Assembly, which is sovereign in so far as the framing of the constitution is concerned. The Committee do not agree with some of these recommendations. In their view it will be open to the Constituent Assembly itself at any stage to make changes and variations, with the proviso that, in regard to certain major communal matters, a majority decision of both the major communities will be necessary.

"The procedure for the election of the Constituent Assembly is based on representation in the ratio of one to a million, but the application of this principle appears to have been overlooked in the case of European members of Assemblies, particularly in Assam and Bengal. Therefore, the Committee expect that this oversight will be corrected.

"The Constituent Assembly is meant to be a fully elected body, chosen by the elected members of the Provincial Legislatures. In Baluchistan, there is no elected assembly or any other kind of chamber which might elect a representative for the Constituent Assembly. It would

be improper for any kind of nominated individual to speak for the whole province of Baluchistan, which he really does not represent in any way.

"In Coorg, the Legislative Council contains some nominated members as well as Europeans elected from a special constituency of less than 100 electors. Only the elected members from the General constituencies should participate in the election.

"The statement of the Cabinet Delegation affirms the basic principle of provincial autonomy and residuary powers vesting in the provinces. It is further said that provinces should be free to form groups. Subsequently, however, it is recommended that provincial representatives will divide up into sections which 'shall proceed to settle the provincial constitutions for the provinces in each section and shall also decide whether any Group constitution shall be set up for those provinces.' There is a marked discrepancy in these two separate provisions, and it would appear that a measure of compulsion is introduced which clearly infringes the basic principle of provincial autonomy. In order to retain the recommendatory character of the statement, and in order to make the clauses consistent with each other, the Committee read paragraph 15 to mean that, in the first instance, the respective provinces shall make their choice whether or not to belong to the section in which they are placed. Thus the Constituent Assembly must be considered as a sovereign body with final authority for the purpose of drawing up a constitution and giving effect to it.

"The provisions in the statement in regard to the Indian States are vague and much has been left for future decision. The Working Committee would, however, like to make it clear that the Constituent Assembly cannot be formed of entirely disparate elements. And the manner of appointing State representatives for the Constituent Assembly must approximate, in so far as it is possible, to the method adopted in the provinces. The Committee are gravely concerned to learn that even at this present moment some State Governments are attempting

to crush the spirit of their people with the help of the armed forces. These recent developments in the States are of great significance in the present and for the future of India, as they indicate that there is no real change of policy on the part of some of the State Governments and of those who exercise Paramountcy.

"A Provisional National Government must have a new basis and must be a precursor of the full independence that will emerge from the Constituent Assembly. It must function in recognition of that fact, though changes in law need not be made at this stage. The Governor-General may continue as the head of that Government during the interim period, but the Government should function as a Cabinet responsible to the Central Legislature. The status, powers and composition of the Provisional Government should be fully defined in order to enable the Committee to come to a decision. Major communal issues shall be decided in the manner referred to above in order to remove any possible fear or suspicion from the minds of a minority.

"The Working Committee consider that the connected problems involved in the establishment of a Provisional Government and a Constituent Assembly should be viewed together so that they may appear as parts of the same picture, and there may be co-ordination between the two, as well as an acceptance of the independence that is now recognised as India's right and due. It is only with the conviction that they are engaged in building up a free, great and independent India that the Working Committee can approach this task and invite the co-operation of all the people of India. In the absence of its full picture, the Committee are unable to give a final opinion at this stage."

#### **CORRESPONDENCE CONNECTED WITH SIMLA CONFERENCE**

NEW DELHI, May 18.

Points of fundamental difference led to the failure of the 'Simla' Conference. The tripartite correspondence

with respect to them was published on May 18. The full text of the correspondence with relevant documents follows:

**Letter from Lord Pethick-Lawrence to Maulana Abul Kalam Azad and Mr. Jinnah, dated 27th April, 1946.**

The Cabinet Mission and His Excellency the Viceroy have carefully reviewed the opinions expressed to them by the various representatives they have interviewed and have come to the conclusion that they should make one further attempt to obtain agreement between the Muslim League and the Congress.

They realise that it would be useless to ask the two parties to meet unless they were able to place before them a basis of negotiations which could lead to such an agreement.

I am therefore asked to invite the Muslim League to send four negotiators to meet the Cabinet Mission and the Viceroy together with a similar number from the Congress Working Committee with a view to discussing the possibility of agreement upon a scheme based upon the following fundamental principles:—

The future constitutional structure of British India to be as follows:—

A Union Government dealing with the following subjects:—Foreign Affairs, Defence and Communications.

There will be two groups of Provinces, the one of the predominantly Hindu Provinces and the other of the predominantly Muslim Provinces, dealing with all other subjects which the Provinces in the respective groups desire to be dealt with in common. The Provincial Governments will deal with all other subjects and will have all the residuary sovereign rights.

It is contemplated that the Indian States will take their appropriate place in this structure on terms to be negotiated with them.

I would point out that we do not think it either necessary or desirable further to elaborate these principles as

all other matters could be dealt with in the course of the negotiations.

If the Muslim League and the Congress are prepared to enter into negotiations on this basis, you will perhaps be so good as to let me know the names of the four people appointed to negotiate on their behalf. As soon as I receive these I will let you know the locus of the negotiations which will in all probability be in Simla, where the climate will be more temperate.

### CONGRESS REPLY

Letter from the President of the Congress to Lord Pethick-Lawrence, dated 28th April, 1946:—

I thank you for your letter of April 27th. I have consulted my colleagues of the Congress Working Committee in regard to the suggestion made by you, and they desire me to inform you that they have always been willing to discuss fully any matters concerning the future of India with representatives of the Muslim League or any other organisation. I must point out, however, that the "fundamental principles" which you mention require amplification and elucidation in order to avoid any misunderstanding.

As you are aware, we have envisaged a Federal Union of autonomous units. Such a Federal Union must of necessity deal with certain essential subjects of which Defence and its allied subjects are the most important. It must be organic and must have both an executive and legislative machinery as well as the finance relating to these subjects and the power to raise revenues for these purposes in its own right. Without these functions and powers it would be weak and disjointed and Defence and progress in general would suffer. Thus among the common subjects in addition to Foreign Affairs, Defence and Communications, there should be Currency, Customs, Tariffs and such other subjects as may be found on closer scrutiny to be intimately allied to them.

Your reference to two groups of Provinces, the one of the predominantly Hindu Provinces and the other of the predominantly Muslim Provinces, is not clear. The only predominantly Muslim Provinces are the North-West Frontier Province, Sind and Baluchistan. Bengal and the Punjab have a bare Muslim majority. We consider it wrong to form groups of Provinces under the Federal Union and more so on religious or communal basis. It also appears that you leave no choice to a Province in the matter of joining or not joining a group. It is by no means certain that a Province as constituted would like to join any particular group. In any event it would be wholly wrong to compel a Province to function against its own wish. While we agree to the Provinces having full powers in regard to all the remaining subjects as well as the residuary powers, we have also stated that it should be open to any Province to exercise its option to have more common subjects with the Federal Union. Any Sub-Federation within the Federal Union would weaken the Federal Centre and would be otherwise wrong. We do not, therefore, favour any such development.

Regarding the Indian States we should like to make it clear that we consider it essential that they should be parts of the Federal Union in regard to the common subjects mentioned above. The manner of their coming into the Union can be considered fully later.

You have referred to certain "fundamental principles", but there is no mention of the basic issue before us, that is, Indian Independence and the consequent withdrawal of the British Army from India. It is only on this basis that we can discuss the future of India, or any interim arrangement.

While we are ready to carry on negotiations with any Party as to the future of India, we must state our convictions that reality will be absent from any negotiations whilst an outside Ruling Power still exists in India.

I have asked three of my colleagues of the Congress Working Committee, namely, Pandit Jawaharlal Nehru,



Sardar Vallabhbhai Patel and Khan Abdul Gaffar Khan to accompany me in any negotiations that may take place as a result of your suggestion. —

### MUSLIM ACCEPTANCE

Letter from the President of the Muslim League to Lord Pethick-Lawrence, dated 29th April 1946:—

I thank you for your letter of the 27th April, which I placed before my Working Committee yesterday morning.

My colleagues and I fully appreciate the further attempt that the Cabinet Mission and His Excellency the Viceroy are making to bring about an agreement between the Muslim League and the Congress by proposing a meeting of the representatives of the two organisations for the purpose of negotiating an agreement. They, however, desire me to invite your attention to the position taken up by the Muslim League since the passing of the Lahore Resolution in 1940 and, thereafter, successively endorsed by the All-India Muslim League Sessions and again by the Convention of Muslim League legislators, as recently as 9th April, 1946, as per copy enclosed.

The Working Committee desire to point out that many important matters, both of principle and detail, in your brief letter, require elucidation and clarification, which, in their opinion, can be achieved at the meeting proposed by you.

Therefore, without prejudice or commitment, the Working Committee, in their anxiety to assist in finding an agreed solution of the Indian constitutional problem, have authorised me to nominate three representatives on behalf of the Muslim League to participate in the negotiations.

The following are the four names: 1. Mr. M. A. Jinnah; 2. Nawab Mohammad Ismail Khan; 3. Nawabzada Liaquat Ali Khan; and 4. Sardar Abdur Rab Nishtar.

(A copy of the resolution passed by the Subjects Committee to be placed before the All-India Muslim League

Legislators' Convention on April 9, 1946 is enclosed with the letter).

### **CABINET MISSION'S REPLY**

**Letter from Lord Pethick-Lawrence to the President of the Congress, dated 29th April, 1946:—**

Thank you for your letter of 28th April. The Cabinet Delegation are very glad to know that the Congress agree to enter the joint discussion with representatives of the Muslim League and ourselves.

We have taken note of the views you have expressed on behalf of the Working Committee of the Congress. These appear to deal with matters which can be discussed at the conference, for we have never contemplated that acceptance by the Congress and the Muslim League of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement, and what we have asked the Congress Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Muslim League in order to discuss it.

Assuming that the Muslim League, whose reply we expect to receive in the course of the afternoon, also accept our invitation, we propose that these discussions should be held at Simla, and intend to move there ourselves on Wednesday next. We hope that you will be able to arrange for the Congress representatives to be in Simla in time to open the discussions on the morning of Thursday, May 2.

### **REPLY TO MUSLIM LEAGUE**

**Letter from Lord Pethick-Lawrence to the President of the Muslim League, dated 29th April, 1946:—**

Thank you for your letter of the 29th April. The Cabinet Delegation are very glad to know that the Muslim League agree to enter the joint discussion with the representatives of the Congress and ourselves. I am glad to say I have received a letter from the President of the Congress

to say that they are also willing to participate in the proposed discussions and have nominated Maulana Azad, Pandit Nehru, Sardar Vallabhbhai Patel and Khan Abdul Gaffar Khan as their representatives.

We have taken note of the resolution of the Muslim League to which you draw our attention. We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement and what we have asked the Muslim League Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Congress in order to discuss it.

We propose that these discussions should be held at Simla and intend to move there ourselves on Wednesday next. We hope that you will be able to arrange for the Muslim League representatives to be in Simla in time to open the discussions on the morning of Thursday, May 2.

### AGENDA OF THE CONFERENCE

#### 1. Groups of Provinces:—

- (A) Composition.
- (B) Method of deciding group subjects.
- (C) Character of group organisation.

#### 2. Union:—

- (A) Union subjects.
- (B) Character of Union Constitution.
- (C) Finance.

#### 3. Constitution-making machinery:—

- (A) Composition.
- (B) Functions. (i) In respect of union; (ii) In respect of groups; (iii) In respect of provinces.

## CONGRESS CRITICISM

Letter from the President of Congress to Lord Pethick-Lawrence dated 6th May, 1946:—

My colleagues and I followed with care the proceedings of the Conference yesterday and tried to understand what our conversations were leading up to. I confess to feeling somewhat mystified and disturbed at the vagueness of our talks and some of the assumptions underlying them. While we would like to associate ourselves with every effort to explore ways and means of finding a basis for agreement, we must not deceive ourselves, the Cabinet Mission or the representatives of the Muslim League into the belief that the way the Conference has so far proceeded furnishes hope of success. Our general approach to the questions before us was stated briefly in my letter to you of 28th April. We find that this approach has been largely ignored and a contrary method has been followed. We realise that some assumptions have to be made in the early stages as otherwise there can be no progress. But assumptions which ignore or run contrary to fundamental issues are likely to lead to misunderstandings during the later stages.

In my letter of 28th April, I stated that the basic issue before us was that of Indian independence and the consequent withdrawal of the British Army from India, for there can be no independence so long as there is a foreign army on Indian soil. We stand for the independence of the whole of India now and not in the distant or near future. Other matters are subsidiary to this and can be fitly discussed and decided by the Constituent Assembly.

At the conference yesterday I referred to this again and we were glad to find that you and your colleagues, as well as the other members of the Conference, accepted Indian independence as the basis of our talks. It was stated by you that the Constituent Assembly would finally decide about the nexus or other relationship that might be established between a free India and England. While this is perfectly true, it does not affect the position now, and that is the acceptance of Indian independence now.

If that is so then certain consequences inevitably follow. We felt yesterday that there was no appreciation of these consequences. A Constituent Assembly, is not going to decide the question of Independence; that question must be and, we take it, has been decided now. That Assembly will represent the will of the free Indian nation and give effect to it. It is not going to be bound by any previous arrangements. It has to be preceded by a provisional Government which must function, as far as possible, as a Government of free India, and which should undertake to make all arrangements for the transitional period.

In our discussions yesterday repeated references were made to "Groups" of Provinces functioning together, and it was even suggested that such a Group would have an executive and legislative machinery. This method of grouping has not so far been discussed by us but still our talks seemed to presume all this. I should like to make it very clear that we are entirely opposed to any executive or legislative machinery for a Group of Provinces or units of the Federation. That will mean Sub-Federation, if not something more, and we have already told you that we do not accept this. It would result in creating three layers of executive and legislative bodies, an arrangement which will be cumbrous, static and disjointed, leading to continuous friction. We are not aware of any such arrangement in any country.

We are emphatically of opinion that it is not open to the Conference to entertain any suggestions for a division of India. If this is to come, it should come through the Constituent Assembly free from any influence of the present Governing Power.

Another point we wish to make clear is that we do not accept the proposal for parity as between Groups in regard to the executive or legislature. We realise that everything possible should be done to remove fears and suspicions from the mind of every group and community. But the way to do this is not by unreal methods which go against the basic principles of democracy on which we hope to build up our constitution.

## MEETING POSTPONED

Letter from Lord Pethick-Lawrence to the Presidents of the Muslim League and the Congress, dated 8th May, 1946:—

My colleagues and I have been thinking over the best method of laying before the Conference what in our judgment seems the most likely basis of agreement as shown by the deliberations so far.

We have come to the conclusion that it will be for the convenience of the Parties if we commit this to writing and send them confidential copies before the Conference meets again.

We hope to be in a position to let you have this in the course of the morning. But as this will give you too short a time to study it adequately before the proposed resumption of the Conference at 3 o'clock this afternoon, I feel sure that you will agree that the meeting be postponed until the same hour (3 o'clock) tomorrow afternoon, Thursday, 9th May, and I hope that you will concur in this change of time which we are convinced is in the interests of all Parties.

## SCHEME OF THE MISSION

Letter from the Private Secretary to Lord Pethick-Lawrence to the Presidents of the Congress and the Muslim League, dated 8th May, 1946:—

With reference to the Secretary of State's letter to you this morning, the Cabinet Delegation wish me to send to you the enclosed document which is the paper to which the Secretary of State referred. The Delegation propose that this paper should be discussed at the next meeting to be held on Thursday afternoon at 3 p.m. if that is agreeable to the Congress and the Muslim League delegates.

Enclosure with the letter of 8th May:—

SUGGESTED POINTS FOR AGREEMENT BETWEEN  
THE REPRESENTATIVES OF CONGRESS AND THE  
MUSLIM LEAGUE.

1. There shall be an All-India Union Government and Legislature dealing with Foreign Affairs, Defence, Communications and Fundamental Rights and having the necessary powers to obtain for itself the finance it requires for these subjects.

2. All the remaining powers shall vest in the Provinces.

3. Groups of Provinces may be formed and such groups may determine the provincial subjects which they desire to take in common.

4. The Groups may set up their own executives and legislatures.

5. The Legislature of the Union shall be composed of equal proportions from the Muslim-majority provinces and from the Hindu-majority provinces whether or not these or any of them have formed themselves into groups, together with representatives of the States.

6. The Government of the Union shall be constituted in the same proportion as the Legislature.

7. The Constitutions of the Union and the Groups (if any) shall contain a provision whereby any Province can by a majority vote of its Legislative Assembly call for a reconsideration of the terms of the Constitution after an initial period of ten years and at ten-yearly intervals thereafter.

For the purpose of such reconsideration, a body shall be constituted on the same basis as the original Constituent Assembly and with the same provisions as to voting and shall have power to amend the constitution in any way decided up.

8. The constitution-making machinery to arrive at a Constitution on the above basis shall be as follows:

(A) Representatives shall be elected from each Provincial Assembly in proportion to the strengths of the various parties in that Assembly on the basis of 1/10th of their numbers.

(B) Representatives shall be invited from the States

on the basis of their population in proportion to the representation from British India.

(C) The Constituent Assembly so formed shall meet at the earliest date possible in New Delhi.

(D) After its preliminary meeting at which the general order of business will be settled, it will divide into three sections, one section representing the Hindu-majority provinces, one section representing the Muslim-majority provinces and one representing the States.

(E) The first two sections will then meet separately to decide the provincial constitutions for the Group and, if they wish, a Group Constitution.

(F) When these have been settled it will be open to any Province to decide to opt out of its original Group and into the other Group or remain outside any Group.

(G) Thereafter the three bodies will meet together to settle the Constitution for the Union on the lines agreed in paragraphs 1—7 above.

(H) No major point in the Union Constitution which affects the communal issues shall be deemed to be passed by the Assembly unless a majority of both the two major communities vote in its favour.

9. The Viceroy shall forthwith call together the above constitution-making machinery which shall be governed by the provisions stated in paragraph 8 above.

### CRITICISM BY THE MUSLIM LEAGUE

Letter from the President of the Muslim League to Lord Pethick-Lawrence, dated 8th May, 1946:—

I have now received the letter of your private secretary, dated 8th May, 1946, and the enclosed document to which, you had referred in your earlier letter of 8th May, 1946. It is proposed by you that this "paper" be discussed at the next meeting of the Conference to be held on Thursday afternoon at 3 p.m. if this is agreeable to the Muslim League delegation.



Your proposal embodied in your letter of 27th April, 1949, runs as follows:

"A Union Government dealing with the following subjects: Foreign Affairs, Defence and Communications. There will be two groups of Provinces the one of the predominantly Hindu provinces and the other of the predominantly Muslim Provinces, dealing with all other subjects which the Provinces in the respective groups desire to be dealt with in common. The Provincial Government will deal with all other subjects and will have all residuary sovereign rights."

This matter was to be discussed at Simla and we agreed to attend the Conference on Sunday, 5th May, 1946, on the terms of my letter dated 28th April, 1946.

You were good enough to explain your formula and then after hours of discussion on the 5th and 6th of May, the Congress finally and definitely turned down the proposed Union confined only to three subjects even with power to levy contribution for financing the Union.

Next, your formula clearly envisaged an agreement precedent between the Congress and the Muslim League with regard to the grouping of Muslim and Hindu provinces and the formation of two federations of the grouped provinces and it followed that there must be two constitution-making machineries. It was on that basis that some kind of Union was suggested in your formula confined only to three subjects and our approval was sought in order to put into this skeleton blood and flesh. This proposal was also categorically turned down by the Congress and the meeting had to be adjourned for the Mission to consider the matter further as to what steps they may take in the matter.

And now the new enclosed document has been sent to us with a view that "this paper should be discussed at the next meeting to be held on Thursday afternoon at 3 p.m." The heading of the paper is "Suggested points for agreement between the representatives of the Congress and the Muslim League." By whom are they suggested, it is not made clear.

We are of the opinion that the new suggested points for agreement are a fundamental departure from the original formula embodied in your letter of 27th April, which was rejected by the Congress.

To mention some of the important points we are now asked to agree that there should be one All-India Union Government in terms of paragraphs 1—7 of this paper, which adds one more subject to be vested in the Union Government, "fundamental rights" and it is not made clear whether the Union Government and legislature will have power or not to obtain for itself the finances by means of taxation.

In the new "suggestions" the question of grouping of Provinces is left exactly as the Congress spokesmen desired in the course of discussions that have taken place hitherto, and is totally different from your original formula.

That there should be a single constitution-making body, we can never agree to, nor can we agree to the method of formation of constitution-making machineries suggested in the paper.

There are many other objectionable features contained in the suggestions, which we have not dealt with as we are only dealing with the main points arising out of this paper. In these circumstances, we think, no useful purpose will be served to discuss this paper, as it is a complete departure from your original formula, unless after what we have said above you still desire us to discuss it in the Conference itself tomorrow.

## REPLY OF MISSION — DISCUSSIONS AT MEETING

Letter from Lord Pethick-Lawrence to the President of the Muslim League, dated 9th May, 1946:—

I have to acknowledge your letter of yesterday which I have shown to my colleagues. In it you raise a number of issues to which I propose to reply in order.

1. You claim that the Congress "finally and definitely turned down the proposed Union confined only to three

subjects even with power to levy contribution for financing the Union". This statement is not in accord with my recollection of what took place in the Conference room. It is true that the Congress representatives expressed their view that the limitation was too narrow and argued further that even so limited it necessarily included certain ancillary matters. Up to a point you recognised that there was some force in the argument because you agreed, as I understood, that some power to obtain the necessary finance must be given. There was no final decision on this matter (or of course on any other).

2. Next you claim, if I understand you aright, that our reference to the formation of groups is at variance with the formula in our invitation. I am afraid I cannot accept this view. It is of course a slightly amplified form because it specifies the manner in which the Provinces can decide as to joining any particular Group. This amplified form is put forward by us as a reasonable compromise between the views of the Muslim League and those originally expressed by the Congress against grouping at all.

3. You further take exception to the machinery that we suggest should be set up for making the Constitution. I would point out to you, however, that you yourself in explaining how your two constitution-making bodies would work agreed on Tuesday last in the Conference that they would have to join together in the end to decide the Constitution of the Union and you took no exception to their having a preliminary session in common to decide procedure. That we are proposing is in fact precisely the same thing expressed in different words. I am therefore quite at a loss to understand what you have in mind when you use the words "this proposal was also categorically turned down by the Congress."

### SUGGESTIONS BY MISSION

4. In your next succeeding paragraph you ask who it is that makes the suggestions that are contained in the document I sent you. The answer is the Cabinet Mission

and His Excellency the Viceroy who makes them in our endeavour to bring the gap between the viewpoints of the Congress and the Muslim League.

5. You next take exception to our departing from the original formula in my invitation. I would remind you that in accepting my original invitation neither the Muslim League nor the Congress bound itself to accept in full the original formula, and in my reply of April 29th I wrote these words:—

“We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement and what we have asked the Muslim League Working Committee to do is to agree to send its representatives to meet ourselves and the representatives of the Congress in order to discuss it.” Indeed this is the only sensible attitude because the object of all our discussions is to explore every conceivable possibility of reaching agreement.

6. “Fundamental rights” were included by us in our suggestions for addition to the list of Union subjects because it seemed to us that it would be of benefit both to the large communities and to the small minorities for them to be put in and accordingly to be worthy of consideration in our Conference. As to Finance, it will of course be quite open to discuss in the Conference the precise significance of the inclusion of this word in its context.

7. Your two following paragraphs are mainly a recapitulation of your previous arguments and have been already dealt with above.

8. From your last paragraph I understand that though you do not consider in the circumstances that any good purpose would be served by the attendance of the Muslim League Delegation at the Conference fixed for this afternoon, you are willing to come if we express a desire that you should do so. My colleagues and I wish to obtain the

views of both the Parties on the document submitted and therefore would be glad to see you at the conference.

### CONGRESS VIEWS

Letter from the President of the Congress to Lord Pethick-Lawrence, dated 9th May, 1946:—

My colleagues and I have given the most careful consideration to the memorandum sent by you yesterday, suggesting various points of agreement. On the 28th April I sent you a letter in which I explained briefly the Congress viewpoint in regard to certain fundamental principles mentioned in your letter of 27th April. After the first day of the Conference, on 6th May, I wrote to you again to avoid any possible misunderstanding regarding the issues being discussed in the Conference.

I now find from your memorandum that some of your suggestions are entirely opposed to our views and to the views repeatedly declared by the Congress. We are thus placed in a difficult position. It has been and is our desire to explore every avenue for a settlement and a change-over in India by consent, and for this purpose we are prepared to go far. But there are obvious limits beyond which we cannot go if we are convinced that this would be injurious to the people of India and to India's progress as a free nation.

In my previous letters I have laid stress on the necessity of having a strong and organic Federal Union. I have also stated that we do not approve of sub-federations or grouping of Provinces in the manner suggested, and are wholly opposed to parity in executives or legislatures as between wholly unequal groups. We do not wish to come in the way of Provinces or other units co-operating together, if they so choose, but this must be entirely optional.

The proposals you have put forward are meant, we presume, to limit the free discretion of the Constituent Assembly. We do not see how this can be done. We are at present concerned with one important aspect of a larger problem. Any decision on this aspect taken now might

well conflict with the decisions we, or the Constituent Assembly, might want to take on other aspects. The only reasonable course appears to us is to have a Constituent Assembly with perfect freedom to draw up its constitution, with certain reservations to protect the rights of minorities. Thus we may agree that any major communal issue must be settled by consent of the parties concerned, or, where such consent is not obtained, by arbitration.

From the proposals you have sent us it would appear that two or three separate constitutions might emerge for separate groups, joined together by a flimsy common superstructure, left to the mercy of the three disjointed groups.

There is also compulsion in the early stages for a Province to join a particular group, whether it wants to or not. Thus why should the Frontier Province, which is clearly a Congress Province, be compelled to join any group hostile to the Congress?

We realise that in dealing with human beings, as individuals or groups, many considerations have to be borne in mind besides logic and reason. But logic and reason cannot be ignored altogether, and unreason and injustice are dangerous companions at any time and, more especially, when we are building for the future of hundreds of millions of human beings.

I shall now deal with some of the points in your memorandum and make some suggestions in regard to them.

No. 1. We note that you have provided for the Union to have necessary powers to obtain for itself the finance it requires for the subjects it deals with. We think it should be clearly stated that the Federal Union must have power to raise revenues in its own right. Further that Currency and Customs must in any event be included in the Union subjects, as well as such other subjects as on closer scrutiny may be found to be intimately allied to them. One other subject is an essential and inevitable Union subject and that is Planning. Planning can only be done effectively at the Centre, though the Provinces or units will give effect to it in their respective areas.

The Union must also have power to take remedial action in cases of breakdown of the Constitution and in grave public emergencies.

Nos. 5 and 6.—We are entirely opposed to the proposed parity, both in the executive and legislature, as between wholly unequal groups. This is unfair and will lead to trouble. Such a provision contains in itself the seed of conflict and the destruction of free growth. If there is no agreement on this or any similar matter, we are prepared to leave it to arbitration.

No. 7.—We are prepared to accept the suggestion that provision be made for a reconsideration of the Constitution after ten years. Indeed the Constitution will necessarily provide the machinery for its revision at any time.

The second clause lays down that reconsideration should be done by a body constituted on the same basis as the Constituent Assembly. This present provision is intended to meet an emergency. We expect that the Constitution for India will be based on adult suffrage. Ten years hence India is not likely to be satisfied with anything less than adult suffrage to express its mind on all grave issues.

No. 8-A.—We would suggest that the just and proper method of elections, fair to all parties, is the method of proportional representation by single transferable vote. It might be remembered that the present basis of election for the Provincial Assemblies is strong weighted in favour of the minorities.

The proportion of one-tenth appears to be too small and will limit the numbers of the Constituent Assembly too much. Probably the number would not exceed 200. In the vitally important tasks the Assembly will have to face, it should have larger numbers. We suggest that at least one-fifth of the total membership of the Provincial Assemblies should be elected for the Constituent Assembly.

No. 8-B.—This clause is vague and requires elucidation. But for the present we are not going into further details.

No. 8-D.—E, F, G.—I have already referred to these clauses. We think that both the formation of these groups and the procedure suggested are wrong and undesirable. We do not wish to rule out the formation of the groups if the Provinces so desire. But this subject must be left open for decision by the Constituent Assembly. The drafting and settling of the Constitution should begin with the Federal Union. This should contain common and uniform provisions for the provinces and other units. The provinces may then add to these.

No. 8-H.—In the circumstances existing today we are prepared to accept some such clause. In case of disagreement the matter should be referred to arbitration.

I have pointed out above some of the obvious defects as we see them, in the proposals contained in your memorandum. If these are remedied, as suggested by us, we might be in a position to recommend their acceptance by the Congress. But as drafted in the memorandum sent to us, I regret that we are unable to accept them.

On the whole, therefore, if the suggestions are intended to have a binding effect, with all the will in the world to have an agreement with the League, we must repudiate most of them. Let us not run into any evil greater than the one all of us, three parties, should seek to avoid.

If an agreement honourable to both the parties and favourable to the growth of a free and united India cannot be achieved we would suggest that an interim provisional Government responsible to the elected members of the Central Assembly be formed at once and the matters in dispute concerning the Constituent Assembly between the Congress and the League be referred to an independent tribunal.

### PROPOSAL FOR AN UMPIRE

After a proposal by Pandit Jawaharlal Nehru that an Umpire should be appointed to settle matters of difference



between the parties, the Conference, understanding that there was a likelihood of agreement on an umpire between the parties, was adjourned and the following correspondence passed between the parties.

Letter from Pandit Jawaharlal Nehru to the President of the Muslim League, dated 10th May, 1946:—

In accordance with our decision yesterday at the Conference, my colleagues have given a good deal of thought to the choice of a suitable umpire. We have felt that would probably be desirable to exclude Englishmen, Hindus, Muslim and Sikhs. The field is thus limited. Nevertheless we have drawn up a considerable list from which choice can be made. I presume that you have also, in consultation with your executive, prepared a list of possible umpires. Would you like these two lists to be considered by us, that is, by you and me? If so, we can fix up a meeting for the purpose. After we have met, our recommendation can be considered by the eight of us, that is, the four representatives of the Congress and the four representatives of the Muslim League, and a final choice can be made, which we can place before the Conference when it meets tomorrow.

#### MR. JINNAH'S REPLY

Letter from the President of the Muslim League to Pandit Jawaharlal Nehru, dated 10th May, 1946:—

I received your letter of 10th May at 6 p.m.

At yesterday's meeting between you and me at the Viceregal Lodge, we discussed several points besides the fixing of an umpire. After a short discussion, we came to the conclusion that we would further examine the proposals made by you at the conference yesterday, with all its implications after your and my consulting our respective colleagues.

I shall be glad to meet you to consider the various aspects of your proposal any time that may suit you to-morrow morning after 10 o'clock.

## “UMPIRE PLAN AGREED TO”

Letter from Pandit Jawaharlal Nehru to the President of Muslim League, dated 11th May, 1946:—

Your letter of 10th May reached me at 10 last night.

During the talk we had at Viceregal Lodge, you referred to various matters besides the choice of an umpire and I gave you my reactions in regard to them. But I was under the impression that the proposal to have an umpire had been agreed to and our next business was to suggest names. Indeed it was when some such agreement was reached in the Conference that we had our talk. My colleagues have proceeded on this basis and prepared a list of suitable names. The Conference will expect us to tell them this afternoon the name of the umpire we fix upon or at any rate to place before them suggestions in this behalf.

The chief implication in having an umpire is to agree to accept his final decision. We agree to this. We suggest that we might start with this and report accordingly to the Conference.

As suggested by you, I shall come over to your place of residence at about 10-30 this morning.

Letter from the President of the Muslim League to Pandit Jawaharlal Nehru dated 11th May, 1946:

I am in receipt of your letter of 11th May, 1946.

During the talk we had at the Viceregal Lodge which lasted for about 15 or 20 minutes, I pointed out various aspects and implications of your proposals and we had a discussion for a little while, but no agreement was arrived at between you and me on any point except that at your suggestion that you consult your colleagues and I should do likewise. We adjourned to meet again the next day to further discuss the matter.

I shall be glad to meet you at 10-30 this morning for further talk.

## MUSLIM LEAGUE'S DEMANDS

Memorandum by the President of the Muslim League embodying the minimum demands by way of an offer, in accordance with the Conference decision, dated 12th May, 1946. (Copies sent to the Cabinet Delegation and the Congress).

### PRINCIPLES TO BE AGREED TO AS OUR OFFER

1. The six Muslim Provinces (Punjab, N.W.F.P. Baluchistan, Sind, Bengal and Assam) shall be grouped together as one group and will deal with all other subjects and matters except Foreign Affairs, Defence and Communications necessary for Defence, which may be dealt with by the constitution-making bodies of the two groups of Provinces—Muslim provinces (hereinafter named Pakistan Group) and Hindu Provinces—sitting together.

2. There shall be a separate constitution-making body for the six Muslim Provinces named above, which will frame constitutions for the group and the Provinces in the group and will determine the list of subjects that shall be Provincial and Central (of the Pakistan Federation) with residuary sovereign powers vesting in the Provinces.

3. The method of election of the representatives to the constitution-making body will be such as would secure proper representation to the various communities in proportion to their population in each Province of the Pakistan Group.

4. After the constitutions of the Pakistan Federal Government and the Provinces are finally framed by the constitution-making body, it will be open to any Province of the group to decide to opt out of its group, provided the wishes of the people of that Province are ascertained by a referendum to opt out or not.

5. It must be open to discussion in the joint constitution-making body as to whether the Union will have a legislature or not. The method of providing the Union with finance should also be left for the decision of the joint

meeting of the two constitution-making bodies, but in no event shall it be by means of taxation.

6. There should be parity of representation between the two groups of Provinces in the Union executive and the legislature, if any.

7. No major point in the Union Constitution which affects the communal issue shall be deemed to be passed in the joint constitution-making body, unless the majority of the members of the constitution-making body of the Hindu Provinces and the majority of the members of the constitution-making body of the Pakistan Group, present and voting, are separately in its favour.

8. No decision, legislative, executive or administrative shall be taken by the Union in regard to any matter of a controversial nature except by a majority of three-fourths.

9. In group and provincial constitutions, fundamental rights and safeguards concerning religion, culture and other matters affecting the different communities will be provided for.

10. The constitution of the Union shall contain a provision whereby any province can, by a majority vote of its legislative assembly, call for a reconsideration of the terms of the Constitution, and will have the liberty to secede from the Union at any time after an initial period of ten years.

These are the principles of our offer for a peaceful and amicable settlement and this offer stands in its entirety and all matters mentioned herein are interdependent.

### CONGRESS VIEW

Points suggested on behalf of the Congress as a basis for agreement, 12th May 1946:—

1. The Constituent Assembly to be formed as follows:

(i) Representatives shall be elected by each Provincial Assembly by proportional representation (single transferable vote). The number so elected should be one-fifth

would give proper representation to the various communities in proportion to their present representation in the legislature. If the population proportion is taken, we have no particular objection, but this would lead to difficulties in all the Provinces where there is weightage in favour of certain communities. The principle approved of would necessarily apply to all the Provinces.

(4) There is no necessity for opting out of a Province from its group as the previous consent of the Provinces is necessary for joining the group.

(5) We consider it essential that the Federal Union should have a Legislature. We also consider it essential that the Union would have power to raise its own revenue.

(6 and 7) We are entirely opposed to parity of representation as between groups of Provinces in the Union Executive or Legislature. We think that the provision to the effect that no major communal issue in the Union Constitution shall be deemed to be passed by the Constituent Assembly unless a majority of the members of the community or communities concerned present and voting in the Constituent Assembly are separately in its favour, is a sufficient and ample safeguard of all minorities. We have suggested something wider and including all communities than has been proposed elsewhere. This may give rise to some difficulties in regard to small communities, but all such difficulties can be got over by reference to arbitration. We have prepared to consider the method of giving effect to this principle so as to make it more feasible.

(8) This proposal is so sweeping in its nature that no Government or Legislature can function at all. Once we have safeguarded major communal issues other matters, whether controversial or not, require no safeguard. This will simply mean safeguarding vested interests of all kinds and preventing progress or indeed any movement in any direction. We, therefore, entirely disapprove of it.

(9) We are entirely agreeable to the inclusion of fundamental rights and safeguards concerning religion, culture and like matters in the constitution. We suggest

that the proper place for this is the All-India Federal Union Constitution. There should be uniformity in regard to these fundamental rights all over India.

(10) The Constitution of the Union will inevitably contain provisions for its revision. It may also contain a provision for its full reconsideration at the end of ten years. The matter will be open then for a complete reconsideration. Though it is implied, we would avoid reference to secession as we do not wish to encourage this idea.

### **ATTLEE ON INDIA**

JUNE 1, 1946.

Addressing the British Labour Party Conference at Bournemouth, the Prime Minister, Mr. Attlee said:

"We ask for others the freedom we ask for ourselves. We proclaim this freedom but we do more than proclaim it. We seek to put it into effect: witness India. If Indians decide to go outside the Commonwealth, we shall stretch out the hand of friendship to them, but in the meantime my colleagues have been labouring over there not to force something on India, but to help Indians solve their own problems."

### **MUSLIM LEAGUE RESOLUTION ON CABINET MISSION PROPOSALS**

NEW DELHI, June 6.

The following is the text of the resolution passed by the League Council:

"This meeting of the Council of the All-India Muslim League, after having carefully considered the statement issued by the Cabinet Mission and H. E. the Viceroy on May 16 and other relevant statements and documents officially issued in connection therewith and after having examined the proposals set forth in the said statement in all their bearings and implications, places on record the following views for the guidance of the nation and direction to the Working Committee:

thorises its President to negotiate with H. E. the Viceroy and to take such decisions and actions as he deems fit and proper."

## THE ATTITUDE OF THE PRINCES' CHAMBER

BOMBAY, June 10, 1946.

The Chancellor, the Chamber of Princes, the Nawab of Bhopal, issued the following statement on behalf of the Standing Committee.

"The Standing Committee of the Chamber of Princes have, in consultation with the Committee of Ministers and the Constitutional Advisory Committee, given careful consideration to the statement issued by the Cabinet Delegation and His Excellency the Viceroy on May 16, 1946. They have also examined the Delegation's memorandum on States Treaties and Paramountcy, and the further statement of May 26. They are of the view that the plan provides the necessary machinery for the attainment by India of independence, as well as a fair basis for further negotiations. They welcome the declaration of the Cabinet Mission in regard to Paramountcy, but certain adjustments for the interim period will be necessary.

"There are, however, a few points in the plan which still require elucidation. There are also several matters of fundamental importance which are left over for negotiation and settlement. The Standing Committee have, therefore, accepted the invitation of His Excellency the Viceroy to set up a Negotiating Committee and have authorised the Chancellor to arrange discussions as contemplated in the plan. It is proposed to place the results of these negotiations before a general conference of Rulers and representatives of States.

"As regards the arrangements for the interim period, the Standing Committee confirm the following proposals made by the Chancellor:

(a) That a special committee may be set up consisting of representatives of the States and of the Central Govern-

ment, to discuss and reach agreement on matters of common concern during the interim period;

(b) That disputes on justiciable issues and on fiscal, economic, or financial matters should be referable to courts of arbitration as a matter of right;

(c) That in personal and dynastic matters the agreed procedure should be implemented in the letter and the spirit and the Crown Representative should ordinarily consult the Chancellor and a few other Princes, if not objected to by the States concerned; and

(d) That in agreement with the States, machinery may be provided for the early settlement of pending cases and for the revision, at the instance of the States concerned, of the existing arrangements in regard to such subjects as railways, ports and customs.

The committee have, therefore authorised the Chancellor to conduct further negotiations with a view to reaching early decisions.

"The Standing Committee endorse the suggestion made by the Cabinet Delegation that the States will doubtless strengthen their position by doing everything possible to ensure that their administrations conform to the highest standard. Where adequate standards cannot be achieved within the existing resources of the States they will no doubt arrange in suitable cases to form or join administrative units large enough to enable them to be fitted into the constitutional structure. It will also strengthen the position of the States during this formulative period if the various Governments which have not already done so take active steps to place themselves in close and constant touch with public opinion in their State by means of representative institutions. The Standing Committee wish to emphasise the necessity for the States, which have not done so, to declare immediately their decision to follow the lines of internal reforms laid down in the declaration made by the Chancellor at the last session of the Chamber of Princes and to take necessary steps to implement that decision within 12 months."



## CABINET MISSION'S STATEMENT ON INTERIM GOVT.

NEW DELHI, June 16, 1946.

"His Excellency the Viceroy in consultation with the members of the Cabinet Mission, has for some time been exploring the possibilities of forming a Coalition Government drawn from the two major parties and certain of the minorities. The discussions have revealed the difficulties which exist for the two major parties in arriving at any agreed basis for the formation of such a Government. The Viceroy and the Cabinet Mission appreciate these difficulties and the efforts which the two parties have made to meet them. They consider, however, that no useful purpose can be served by further prolonging these discussions. It is indeed urgently necessary that a strong and representative Interim Government should be set up to conduct the very heavy and important business that has to be carried through.

"The Viceroy is therefore issuing invitations to the following to serve as members of the Interim Government on the basis that the constitution-making will proceed in accordance with the statement of May 16:

"Sardar Baldev Singh,  
 Sir N. P. Engineer,  
 Mr. Jagjivan Ram,  
 Pandit Jawaharlal Nehru,  
 Mr. M. A. Jinnah,  
 Nawabzada Liaquat Ali Khan,  
 Mr. H. Mahtab,  
 Dr. John Matthai,  
 Nawab Mohammad Ismail Khan,  
 Khwaja Sir Nazimuddin,  
 Sardar Abdur Rab Nishtar,  
 Mr. C. Rajagopalachari,  
 Dr. Rajendra Prasad.  
 Sardar Vallabhbhai Patel.

"If any of those invited is unable for personal reasons to accept, the Viceroy will, after consultations, invite some other person in his place.

"The Viceroy will arrange the distribution of portfolios in consultation with the leaders of the two major parties.

"The above composition of the Interim Government is in no way to be taken as a precedent for the solution of any other communal question. It is an expedient put forward to solve the present difficulty only and to obtain the best available Coalition Government.

"The Viceroy and the Cabinet Mission believe that Indians of all communities desire to arrive at a speedy settlement of this matter so that the process of constitution-making can go forward and that the Government of India may be carried on as efficiently as possible in the meantime.

"They therefore hope that all parties, especially the two major parties, will accept this proposal so as to overcome the present obstacles and will co-operate for the successful carrying on of the Interim Government. Should this proposal be accepted, the Viceroy will aim at inaugurating the new Government about June 26.

"In the event of the two major parties or either of them proving unwilling to join in the setting up of a Coalition Government on the above lines, it is the intention of the Viceroy to proceed with the formation of an Interim Government which will be as representative as possible of those willing to accept the statement of May 16.

"The Viceroy is also directing the Governors of the provinces to summon the Provincial Legislative Assemblies forthwith to proceed with the elections necessary for the setting up of the constitution-making machinery as put forward in the statement of May 16."

### VICEROY'S LETTER

The following is the Viceroy's letter, dated June, 16, 1946, to the Presidents of the Indian National Congress and the All-India Muslim League:—

on our part suggestions were put before you informally, including the names of a non-League Muslim.

In your statement on June 15 some of the names suggested came as a surprise to us. Several changes had been made from the provisional list prepared by the Congress. The manner of preparing your list and presenting it as an accomplished fact seemed to us to indicate a wrong approach to the problem. One of the names included had not been previously mentioned at all and was that of a person holding an official position and not known to be associated with any public activity. We have no personal objection to him, but we think that the inclusion of such a name, particularly without any previous reference or consultation, was undesirable and indicated a wrong approach to the problem.

Then again a name from our list was excluded and in his place another of our colleagues was put in, but as you have said that this can be rectified, I need not say more about it.

One outstanding feature of this list was the non-inclusion of any Nationalist Muslim. We felt that this was a grave omission. We wanted to suggest the name of a Muslim to take the place of one of the Congress names on the list. We felt that no one could possibly object to our changing the name of one of our own men. Indeed, when I had drawn your attention to the fact that among the Muslim League nominees was included the name of a person who had actually lost in the recent elections in the Frontier Province and whose name we felt had been placed there for political reasons, you wrote to me as follows: "I am afraid that I cannot accept the right of the Congress to object to names put forward by the Muslim League, any more that I would accept similar objections from the other side. The test must be that of ability. But before we could make our suggestion I received your letter of June 22, which surprised us greatly. You had written this letter on the basis of some press reports. You told us that the Cabinet Mission and you were not prepared to

accept a request for the inclusion of a Muslim chosen by the Congress among the representatives of the Congress in the Interim Government. This seemed to us an extraordinary decision. It was in direct opposition to your own statement quoted above. It meant that the Congress could not freely choose even its own nominees. The fact that this was not to be taken as a precedent made hardly any difference. Even a temporary departure from such a vital principle could not be accepted by us at any time or place and in any circumstances.

In your letter of June 21, you gave certain questions framed by Mr. Jinnah in his letter dated June 19 and your replies to them. We have not seen Mr. Jinnah's letter. In question 3 reference is made to "representation of the four minorities namely, the Scheduled Castes, the Sikhs, the Indian Christians and the Parsees," and it is asked "who will fill vacancies caused in these groups, and whether in filling up the vacancies the leader of the Muslim League will be consulted and his consent obtained."

In your answer you say: "If any vacancy occurs among the seats at present allotted to representatives of the minorities, I shall naturally consult both the main parties before filling it." Mr. Jinnah has thus included the Scheduled Castes among the minorities and presumably you have agreed with this view. So far we are concerned we repudiate this view and consider the Scheduled Castes as integral parts of Hindu society. You also, in your letter of June 15, treated the Scheduled Castes as Hindus.

You pointed out that in your proposal there was no "parity" either between Hindus and Muslims or between the Congress and the Muslim League inasmuch as there were to be six Hindus belonging to the Congress, as against five Muslims belonging to the League. One of the six Hindus belonged to the Scheduled Castes. We are in any case not agreeable to the leader of a party which claims to represent a community which is a minority interfering

with the selection of names, from either the Scheduled Castes, whose representation you counted as falling within the Congress quota, or with the selection of representatives of the minorities mentioned.

In question 4 the Scheduled Castes are again referred to as a minority and it is asked whether the proportion of members of the Government, community-wise as provided in the proposals, will be maintained. Your answer is that the proportion will not be changed without agreement of the two major parties. Here again one communal group functioning admittedly as such is given a power to veto changes in other groups with which it has no concern.

We may desire, if opportunity offers itself, to increase the representation, when it is possible, to another minority—for example, Anglo-Indians. All this would depend on the consent of the Muslim League. We cannot agree to this. We may add that your answers restrict the Congress representation to Caste Hindus and make it equal to that of the League.

Finally, you state in answer to question 5 that no decision on a major communal issue could be taken by the Interim Government if the majority of either of the main parties were opposed to it. You further say that you had pointed this out to the Congress President and he had agreed that the Congress appreciated this point. In this connection I desire to point out that we had accepted this principle for the long-term arrangement in the Union Legislature and it could possibly be applied to the provisional Government if it was responsible to the legislature and was composed of representatives on the population basis of major communities. It could not be applied to the provisional Government formed on a different basis altogether.

It was pointed out by us in my letter of June 13, 1946, that it would make administration impossible and deadlocks a certainty. Even in the question as framed by Mr. Jinnah it is stated that "in view of the substitution of 14 now proposed for the original 12" no major communal issues

should be decided if the majority of the Muslim members are opposed to it. Thus this question arose after the substitution of 14 for 12; that is, after your statement of June 16. In this statement no mention is made of this rule. This very important change has been introduced, almost casually and certainly without our consent. This again gives the power of veto or obstruction to the Muslim League in the provisional Government.

We have stated above our objections to your proposals of June 16 as well as to your answers to the questions framed by Mr. Jinnah. These defects are grave and would render the working of the provisional Government difficult and deadlocks a certainty. In the circumstances your proposals cannot fulfil the immediate requirements of the situation or further the cause we hold dear.

My committee have, therefore, reluctantly come to the conclusion that they are unable to assist you in forming a provisional Government as proposed in your statement of June 16, 1946.

With regard to proposals made in the statement of May 16, 1946, relating to the formation and functioning of the constitution-making body, the Working Committee of the Congress passed a resolution on May 24, 1946, and conversations and correspondence have taken place between Your Excellency and the Cabinet Mission on the one side and myself and some of my colleagues on the other. In these we have pointed out what in our opinion were the defects in the proposals. We also gave our interpretation of some of the provisions of the statement. While adhering to our views, we accept your proposals and are prepared to work them with a view to achieve our objective. We would add, however, that the successful working of the constituent assembly will largely depend on the formation of a satisfactory provisional Government.

Yours sincerely,  
(Sd.) A. K. AZAD.

NEW DELHI, June 25

At a late hour in the night it was announced that the Working Committee of the All-India Muslim League had decided to accept the Interim plan of June 16 together with the assurances given by the Viceroy in reply to Mr. Jinnah's letter of last week.

## 'DEFECTS' IN CABINET PROPOSALS

### Working Committee Resolution

NEW DELHI, June 26

The following is the full text of the resolution passed by the Congress Working Committee on the Cabinet Mission's proposals:—

On May 24, the Working Committee passed a resolution on the statement dated May 16, issued by the British Cabinet Delegation and the Viceroy. In this resolution, they pointed out some defects in the statement and gave their own interpretation of certain parts of it. Since then, the Committee have been continuously engaged in giving earnest consideration to the proposals made on behalf of the British Government in the statements of May 16 and June 16 and have considered the correspondence in regard to them between the Congress President and the members of the Cabinet Delegation and the Viceroy.

The Committee have examined both these sets of proposals from the point of view of the Congress objective of immediate independence and the opening out of the avenues leading to the rapid advance of the masses, economically and socially, so that their material standards may be raised and poverty, malnutrition, famine and the lack of the necessities of life may be ended, and all the people of the country may have freedom and opportunity to grow and develop according to their genius. These proposals fall short of these objectives. Yet the Committee considered them earnestly in all their aspects because of their desire to find some way for the peaceful settlement of India's problem and the ending of the conflict between India and England.

The kind of independence the Congress has aimed at is the establishment of a united, democratic Indian Federation, with a Central authority, which would command respect from the nations of the world, maximum provincial autonomy and equal rights for all men and women in the country. The limitations of the Central authority, as contained in the proposals, as well as the system of grouping of provinces, weakened the whole structure and was unfair to some provinces such as the N.W.F. Province and Assam, and to some of the minorities notably the Sikhs, the Committee disapproved of this. They felt, however that, taking the proposals as a whole, there was sufficient scope for enlarging and strengthening the Central authority and for fully ensuring the right of a province to act according to its choice in regard to grouping, and to give protection to such minorities as might otherwise be placed at a disadvantage. Certain other objections were also raised on their behalf, notably the possibility of non-nationals taking any part in constitution-making. It is clear that it would be a breach of both the letter and spirit of the statement of May 16 if any non-Indian participated in the voting or standing for election to the Constituent Assembly.

In the proposals for an Interim Government, contained in the statement of June 16, the defects related to matters of vital concern to the Congress. Some of these have been pointed out in the letter dated June 25 if the Congress President to the Viceroy. The Provisional Government must have power and authority and responsibility and should function in fact, if not in law, as *de facto* independent Government leading to the full independence to come. The members of such a government can only hold themselves responsible to the people and not to any external authority. In the formation of a provisional or other government, Congressmen can never give up the national character of the Congress, or accept an artificial and unjust parity, or agree to the veto of a communal group. The Committee are unable to accept the proposals for the formation of an Interim Government as contained in the statement of June 16.



"The Committee have, however, decided that the Congress should join the proposed Constituent Assembly, with a view to framing the constitution of a free, united and democratic India.

While the Committee have agreed to Congress participation in the Constituent Assembly, it is in their opinion essential that a representative and responsible provisional National Government be formed at the earliest possible date. A continuation of authoritarian and unrepresentative Government can only add to the suffering of famishing masses and increased discontent. It will also put in jeopardy the work of the Constituent Assembly, which can only function in a free environment.

The Working Committee recommend accordingly to the All-India Congress Committee, and for the purpose of considering and ratifying this recommendation they convene an emergent meeting of the A.I.C.C. in Bombay on July 6 and 7.

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## FOLLOW CONGRESS LEAD

### Gandhiji's Advice

NEW DELHI, June 26 1946

For once fear has proved to be a liar. At yesterday's prayer, Gandhiji drew attention to the demi-official statement that had appeared in the Press that the instructions issued for the election of candidates for the Constituent Assembly did not bind them to anything in clause 19 of the Statement. This was clear in the declaration quoted in the papers. He was sorry, said Gandhiji, that he had not seen it before he made his Sunday's speech. He was glad to say that his fears on that score had proved groundless. He felt he owed it to the Delegation to own his mistake, however bona fide it was.

At the same prayer gathering he referred to the report of the deliberations of the Working Committee that had appeared in the newspapers. It was true that the Working Committee had decided to reject the proposals

put before them for the formation of a provisional government for the interim period. But they had decided to go into the proposed Constituent Assembly. There were several flaws in the proposal for the Constituent Assembly, he said, but the Working Committee had reasoned that after all, it would consist of the elected representatives of the people. So, after considering every aspect of the question they had decided that it should not be rejected.

The papers had also reported, proceeded Gandhiji, that the Working Committee's decision had been taken in the teeth of his opposition. That was a misleading statement to make. The fact was that for the last four or five days his mind had been filled with a vague misgiving. He saw darkness where he had seen light before. He knew that darkness indicated lack of faith in God. One whose whole being is filled with God, should never experience darkness.

Be that as it may, said Gandhiji, the fact remained that he did not see the light just then. What was more, he could not explain or give reasons for his fear. He had therefore, simply placed his misgivings before the Working Committee and told them that they should come to a decision independently of him. Those whose function was to give lead to the country could not afford to be guided by another's unreasoned instinct. They could not guide the destiny of the country unless they had the capacity to think for themselves and convince others by reason. The members of the Working Committee, he concluded, were the servants of the nation. They had no other sanction except the willing consent of the people whom they tried to serve. The latter would remove them whenever they liked. His advice to the people, therefore, was to follow the lead given by the Working Committee. He would tell them when he saw the light. But so long as darkness surrounded him in anything, nobody should follow him in it.

**'CONSTITUTION-MAKING CAN NOW PROCEED'**

NEW DELHI, June 26, 1946

Cabinet Mission Issues the following statement:—

"The Cabinet Mission and the Viceroy are glad that constitution-making can now proceed with the consent of the major parties and of the States. They welcome the statements made to them by the leaders of the Congress and the Muslim League that it is their intention to try and work in the Constituent Assembly so as to make it a speedy and effective means of devising the new constitutional arrangements under which India can achieve her independence. They are sure that the members of the Constituent Assembly who are about to be elected will work in this spirit.

"The Cabinet Mission and the Viceroy regret that it has not so far proved possible to form an Interim Coalition Government, but they are determined that the effort should be renewed in accordance with the terms of Paragraph Eight of their statement of June 16. Owing, however, to the very heavy burden which has been cast upon the Viceroy and the representatives of the parties during the last three months, it is proposed that the further negotiations should be adjourned for a short interval during the time while the elections for the Constituent Assembly will be taking place.

"It is hoped that when the discussions are resumed, the leaders of the two major parties, who have all expressed their agreement with the Viceroy and the Cabinet Mission on the need for the speedy formation of a representative Interim Government, will do their utmost to arrive at an accommodation upon the composition of that Government.

"As the Government of India must be carried on until a new Interim Government can be formed, it is the intention of the Viceroy to set up a temporary Caretaker Government of officials.

"It is not possible for the Cabinet Mission to remain longer in India as they must return to report to the British Cabinet and Parliament and also to resume their work from which they have been absent for over three months. They, therefore, propose to leave India on Saturday next, June 29. In leaving India the members of the Cabinet Mission express their cordial thanks for all the courtesy and consideration which they have received as guests in the country and they most sincerely trust that the steps which have been initiated will lead to a speedy realisation of the hopes and wishes of the Indian people."

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## BASIC PRINCIPLE OF CONGRESS

NEW DELHI, June 26.

The Congress President, Maulana Abul Kalam Azad, in a review of the last three months' negotiations says:

"In our prolonged negotiations with the Cabinet Delegation and the Viceroy my colleagues and I have throughout been guided by one governing principle. It was the achievement of Indian independence and the solution of all outstanding problems by methods of peaceful negotiation.

"Such methods have both their advantages and their limitations. Independence achieved through violence and conflict may be more spectacular but entails endless suffering and bloodshed and leaves behind a heritage of bitterness and hatred. Peaceful methods leave no bitter trail, but neither are the results so spectacular, as in a violent revolution. The present negotiations have, therefore, to be judged from this standard.

"Keeping in mind the method chosen and the peculiar nature of our problems dispassionate observers will be forced to admit that though all our hopes have not been fulfilled, the results mark a decisive step forward towards the attainment of our goal. After searching discussion and analysis, this was the conclusion reached by the Congress Working Committee, and they have accordingly accepted the long-term proposals.

"As I have explained in my statement of April 14, 1946, the Congress scheme for the solution of India's political and constitutional problem rested upon two fundamental bases. The Congress held that the peculiar circumstances of India, a limited but organic and powerful Centre confined to certain basic subjects was inevitable. A unitary Government could no more meet the requirements of the case than a division of India into several independent States. A second fundamental principle was the recognition of the complete autonomy of the provinces with all residuary powers vested in them. The Congress held that the provinces would administer all excepting the basic Central subjects. From the nature of the case, it would be open to the Provinces to delegate to the Centre such other subjects as they chose. It is an open secret that the Cabinet Mission's long-term proposals are framed according to the principles laid down in the Congress scheme.

"A question about the implication of provincial autonomy was raised during the recent Simla Conference. It was asked that if the provinces were fully autonomous, did not two or more of them have the right if they chose, of setting up an inter-provincial machinery for administering such subjects as they allocated to it? The declared views of the Congress on the question of provincial autonomy did not permit a denial of the force in the contention. My correspondence during the Simla Conference has already been released and given to the public a clear exposition of the Congress views on the question.

"The only novel feature in the Cabinet Mission's scheme is the idea of grouping the provinces into three different sections. As soon as the Constituent Assembly meets, it will, according to the proposals of the Cabinet Mission, divide itself into three committees. Each committee will be composed of members from provinces in the appropriate section and will together decide whether to form a group or not. Section 15 of the Cabinet Mission's proposals have clearly recognised the rights of provinces to form groups or not.

"The Cabinet Mission intend that the provinces should exercise this right at a particular stage. The Congress Working Committee hold that whatever the intention of the Cabinet Mission, the statement of May 16 does not bear such interpretation. They hold that the provinces are fully autonomous and have the right to decide the question at any stage they like. Section 15 and the general spirit of the proposals support the Congress interpretation that the provinces have the right to decide either at the very beginning before the group constitution has been framed at all or at the end, after they have examined the group constitution as it has emerged from the committee of the Constituent Assembly. I am convinced that the Congress interpretation cannot be challenged. If a province decides to remain outside the group from the very beginning, it cannot be compelled to come in.

"There is the problem of Europeans in Assam and Bengal. The Cabinet Mission's proposals have done away with weightage of representation and have clearly laid down that there is to be one representative for every million of population. This automatically rules the Europeans out of the picture. Once the weightage is discarded, they have no right to any representation at all on the basis of population. It is in the interests of Europeans themselves to refrain from seeking election or participating in the voting. I am confident that the Europeans in Bengal and Assam will act with wisdom and statesmanship. Since the Europeans in Bengal have already decided to refrain from participating in the elections to the Constituent Assembly, I trust that the Europeans in Assam will follow their example.

It must, however, be admitted that one grave flaw in this picture is the delay in the formation of a provisional National Government. Such a provisional Government alone can provide the atmosphere in which the Constituent Assembly can function with a sense of full freedom and authority. Their mutual inter-actions are so intimate that each would suffer in the absence of the other. I earnestly hope that this lacuna in the settlement will be

leaving for Mussoorie on Monday and would request you to reply to my letter there.—Abul Kalam Azad.

Reply from the Viceroy to the Congress President dated May 30, 1946:—

My dear Maulana Sahib.—I have received your letter of 25th May on the Interim Government. We have discussed this matter on several occasions and I recognise the importance that you and your party attach to a satisfactory definition of the powers of the Interim Government and appreciate your reasons for asking for such a definition. My difficulty is that the most liberal intentions may be almost unrecognisable when they have to be expressed in a formal document.

I am quite clear that I did not state to you that the Interim Government would have the same powers as a Dominion Cabinet. The whole constitutional position is entirely different. I said that I was sure that His Majesty's Government would treat the new Interim Government with the same close consultation and consideration as a Dominion Government.

His Majesty's Government have already said that they will give to the Indian Government the greatest possible freedom in the exercise of the day-to-day administration of the country and I need hardly assure you that it is my intention faithfully to carry out this undertaking.

I am quite clear that the spirit in which the Government is worked will be of much greater importance than any formal document and guarantee. I have no doubt that, if you are prepared to trust me, we shall be able to co-operate in a manner which will give India a sense of freedom from external control and will prepare for complete freedom as soon as the new constitution is made.

I sincerely hope that the Congress will accept these assurances and will have no further hesitation in going to co-operate in the immense problems which confront us.

In the matter of time-table you will be aware that the All-India Muslim League Council is meeting on June 5 at

which we understand decisive conclusions are to be reached. I suggest, therefore, that if you summon your Working Committee to reassemble in Delhi on Friday, June 7, it may be possible for final discussions to be made by all parties on all outstanding questions early in the following week. —Wavell.

**Letter from the Viceroy to Pandit Jawaharlal Nehru dated June 12, 1946:—**

Dear Pandit Nehru,—I am anxious to have an opportunity of consulting you together with Mr. Jinnah as to how best I can fill the various posts in the Interim Government. Could you come to see me for this purpose at 5 p.m. today?

It is not my intention to discuss any question of principle such as "parity" or otherwise, but to concentrate upon what I know to be our common objective—that is to get the best possible Interim Government drawn from the two major parties and some of the minorities and to approach this decision by a consideration of what the portfolios should be and how each one can best be filled.

I am sending a similar letter to Mr. Jinnah.—Wavell.

**Reply from Pandit Nehru to the Viceroy dated June 12, 1946:—**

Dear Lord Wavell,—I am sorry for the slight delay in answering your letter of today's date. Your invitation to me to see you today at 5 p.m. in order to confer with you and Mr. Jinnah about the Interim Government placed me in a somewhat difficult position. I would gladly meet you at any time, but our official spokesman in regard to such matters is naturally our President, Maulana Azad. He can speak and confer authoritatively, which I cannot do. It is, therefore, proper that he should be in charge on behalf of any authoritative conversation that might take place. But since you have asked me to come, I shall do so. I hope, however, that you will appreciate my position and that I



can only talk without authority, which vests in our President and the Working Committee.—Jawaharlal Nehru.

Letter from Maulana Azad, the Congress President, to the Viceroy dated June 13, 1946:—

Dear Lord Wavell,—Thank you for your letter of the 12th June, which I have just received, inquiring after my health. I have now more or less recovered.

Pandit Jawaharlal Nehru has reported to my Committee and me the gist of the conversations between Your Excellency and him. My Committee regret that they are unable to accept your suggestions for the formation of the Provisional National Government. These tentative suggestions emphasise the principle of "parity" to which we have been and are entirely opposed. In the composition of the Cabinet suggested by you, there is "parity" between the Hindus, including the Scheduled Castes, and the Muslim League, that is, the number of Caste Hindus, is actually less than the nominees of the Muslim League. The position thus is worse than it was in June, 1945, at Simla where, according to your declaration then, there was to be "parity" between the Caste Hindus and Muslims, leaving additional seats for the Scheduled Caste Hindus. The Muslim seats were then not reserved for the Muslim League only, but could include non-League Muslims. The present proposal thus puts the Hindus in a very unfair position and at the same time eliminates the non-League Muslims. My Committee are not prepared to accept any such proposal. Indeed, as we have stated repeatedly, we are opposed to parity in any shape or form.

In addition to this "parity" we are told that there should be a convention requiring that major communal issues should be decided by separate group voting. While we have accepted this principle for long-term arrangements, we did so as an effective substitute for other safeguards. In your present proposals, however, both "parity" and this convention are suggested. This would make the working of the Provisional Government almost impossible and deadlock a certainty.

As I have often pointed out to you, we are strongly of the opinion that the Provisional Government should consist of 15 members. This is necessary to carry out the administration of the country efficiently, as well as to give adequate representation to the smaller minorities. We are anxious that the various minorities should have scope in such a Government. The work before the Provisional Government is likely to be much heavier and more exacting. In your proposals Communications include Railways, Transport, Posts and Telegraphs and Air. It is difficult for us to conceive how all these can be joined together in one portfolio. This would be highly undesirable at any time. In view of the industrial troubles and the possibility of railway strikes this arrangement would be wholly wrong. We think also that Planning is an essential department for the Centre. We think, therefore, that the Provisional Government must consist of 15 members.

\*The suggested division of portfolios appears to us to be undesirable and unfair.

My Committee would also like to point out that a Coalition Government in order to be successful must have some common outlook and programme for the time being. The manner of approach in forming such a Government has been such as to leave this out of consideration and my Committee do not feel any confidence that such a coalition can function successfully.

It was our intention to write to you about certain other matters also, but for reasons known to you our letter has been delayed. I shall write to you about these other matters later. My purpose in writing to you now is to convey to you without any delay our reactions on the tentative proposals that you put forward today.—Abul Kalam Azad.

**Letter from Maulana Azad to the Viceroy dated June 14, 1946:—**

Dear Lord Wavell,—In my letter to you sent yesterday I promised to send you another letter, I am now doing so.

On May 24th the Congress Working Committee passed a resolution which I conveyed to you. In this resolution

we gave our reactions to the statement dated May 16, 1946, which the British Cabinet Delegation and you issued on behalf of the British Government. We pointed out what were in our opinion some of the omissions and defects in that statement and we also gave our interpretation of some of its provisions. In a subsequent statement issued by you and the Cabinet Delegation our viewpoint was not accepted.

You know, and we have repeatedly emphasised this, that our immediate objective has been and is the independence of India. We have to judge everything by this standard. We suggested that, even though no legal change might be made at this stage, independence in practice might be recognised. This has not been agreed to.

In your letter dated May 30, 1946, addressed to me, you explained what in your view the status and powers of the Interim Government would be. This too falls short of what we aim at. Yet the friendly tone of your letter and our desire to find some way out led us to accept your assurance in these matters. We came to the conclusion also that, unsatisfactory as were many of the provisions of your statement of May 16th, we would try to work them according to our own interpretation and with a view to achieve our objective.

You are no doubt aware of the strong feeling of resentment which exists among large sections of the people against some of the proposals in the statement, notably the idea of grouping. The Frontier Province and Assam have expressed themselves with considerable force against any compulsory grouping. The Sikhs have felt hurt and isolated by these proposals and are considerably agitated. Being a minority in the Punjab, they become still more helpless, as far as numbers go, in Section "B". We appreciated all these objections, especially as we ourselves shared them. Nevertheless, we hoped that, according to our interpretation of the clauses relating to grouping, which we still hold is the correct interpretation,—for any other interpretation would endanger the basic principle of provin-

cial autonomy,—we might be able to get over some of the obvious difficulties.

But two insuperable obstacles remained and we had hoped that you would be able to remove them. One of these related to the part that European members of the Provincial Assemblies might play in the election to the Constituent Assembly. We have no objection to Englishmen or Europeans as such, but we do have a strong objection to persons, who are foreigners and non-nationals and who claim to belong to the ruling race, participating in, and influencing the elections to, the Constituent Assembly. The Cabinet Delegation's statement lays down clearly that the future constitution of India has to be decided by Indians. The basic principle of the statement of May 16th was the election of a member of the Constituent Assembly to represent one million inhabitants. On this basis, the representatives of 146,000 Muslims in Orissa and 180,000 Hindus and 58,000 Sikhs in the North-West Frontier Province have not been given the right to elect any member to the Constituent Assembly. The European population of Bengal and Assam numbers only 21,000, but their representatives can return to the Constituent Assembly by their own vote seven out of 34 members, thus appropriating to themselves the right to represent seven millions. They are returned to the Provincial Assemblies by a separate electorate of their own and have been given fantastic weightage. This representation of Europeans in the Constituent Assembly will be at the cost of non-Muslims, that is mainly Hindus who are already in a minority in Bengal. To make a minority suffer in this way is surely utterly wrong. Apart from the question of principle, it is a matter of the utmost importance in practice and may well affect the future both of Bengal and Assam. The Congress Working Committee attaches the greatest importance to this. We would like to add that even if the Europeans themselves do not stand for election, but merely vote, the results will be equally bad. The Cabinet Delegation have informed us that beyond promising to use their persuasive powers they could not hold out any assurance to us that the European

members would not exercise the right which, we are advised, they do not possess under the statement of May 16th. But if the Delegation hold otherwise, as evidently they do, we cannot contemplate a legal fight for their exclusion at the threshold of the Constituent Assembly.

Therefore, a clear announcement is necessary that they will not take part as voters or candidates in the election to the Constituent Assembly. We cannot depend on grace or goodwill where rights are concerned.

Equally important, in our view, is the question of "parity" in the proposed Provisional National Government. I have already written to you on this subject. This "parity" or by whatever other name it may be called, has been opposed by us throughout, and we consider it a dangerous innovation which, instead of working for harmony, will be a source of continuous conflict and trouble. It may well poison our future, as other separatist steps in the past have poisoned our public life. We are told that this is a temporary provision and need not be treated as a precedent, but no such assurance can prevent an evil step from having evil consequences. We are convinced that even the immediate results of any such provision will be harmful.

If the position about the European vote and "parity" remains, my Committee are reluctantly compelled to inform you that they will not be able to assist you in the difficult task ahead.

The talk we had with you today has not made any substantial difference to the fundamental position. We have noted that, according to your new suggestions, the proposed woman member might be replaced by a Hindu, thus increasing the Hindu members, including Scheduled Caste representatives, to six. We would be sorry not to have a woman member, but, apart from this, the new proposal maintains the old Simla (1945) formula of parity between Caste Hindus and Muslims with this important qualification that now Muslims are supposed to mean members of the Muslim League. We are unable to agree to this proposal and we are still convinced that the Provisional Gov-

ernment must consist of 15 members and that there should be no kind of parity in their selections.—Abul Kalam Azad.

**Letter from the Viceroy to the Congress President dated June 15, 1946:—**

My dear Maulana Sahib,—I have received your letter of June 14. I will reply to it in detail in the course of to-day. Meanwhile I must assume from the last paragraph of your letter that my attempt to negotiate an agreement between the two major parties on the composition of the Interim Government has failed.

The Cabinet Delegation and I have therefore, decided to issue tomorrow a statement on the action we propose to take, and we will let you have a copy of this before publication.—Wavell.

**Letter from the Viceroy to the Congress President dated June 15, 1946:—**

My dear Maulana Sahib,—I have received your letter of the 14th June. You deal with matters on which we have already had much discussion.

We are doing everything possible to further the independence of India. As we have already pointed out, however, there must first be a new constitution drawn up by the people of India.

The delegation and I are aware of your objections to the principle of grouping. I would, however, point out that the statement of May 16 does not make grouping compulsory. It leaves the decision to the elected representatives of the provinces concerned sitting together in sections.

The only provision which is made is that the representatives of certain provinces should meet in sections, so that they can decide whether or not they wish to form groups. Even when this has been done, the individual provinces are still to have the liberty to opt out of the group if they so decide.

I recognise the difficulty about the Europeans who, through no fault of their own, find themselves in a diffi-

cult position. I still hope that a satisfactory solution of this problem will be found.

Our discussions in regard to the Interim Government have been on the basis of political parties and not communities. I understand that this is regarded as preferable now. As it was at the first Simla conference, in the proposed Interim Government of myself and 13 others, there will be six Congressmen and five Muslim Leaguers. I do not see how this can be called parity. Nor is there parity between Hindus and Muslims, there being six Hindus to five Muslims.

Even at this last moment, I still hope that the Congress will now accept the statement and consent to join the Interim Government.—Wavell.

Letter from Maulana Azad to the Viceroy dated June 16, 1946:—

Dear Lord Wavell,—I have received your two letters of June 15th. I note what you say about grouping. We abide by your interpretation of it.

As regards Europeans, we are clear that even on a legal interpretation of the statement of May 16th, apart from other considerations, they have not the right to participate in the elections to the Constituent Assembly. I am glad you expect a satisfactory solution of this problem.

We have endeavoured in our letter and in the course of our talks to state clearly what our position is in regard to any kind of parity. You will remember that parity was mentioned and considered at the first Simla Conference. That parity was exactly the same as is now suggested by you, that is, parity between Caste Hindus and Muslims.

Owing to the stress of war and other conditions then existing, we were prepared to accept this only for that occasion. It was not to be used as a precedent. Moreover, this was subject to the inclusion of at least one Nationalist Muslim. Now conditions have entirely changed and we have to consider the question in another context, that of appro-

aching independence and Constituent Assembly. As we have written to you, in this context and in present circumstances we consider this kind of parity unfair and likely to lead to difficulties. The whole scheme proposed by you in the statement of May 16 is based on absence of weightage. And yet in the proposed Provisional Government there is this weightage, in addition to other far-reaching communal safeguards.

We have tried our utmost to arrive at a satisfactory settlement, and we shall not despair of it. But such a settlement, in order to be enduring, must be based on strong foundations. So far as the statement of May 16th is concerned, our main difficulty, as we wrote to you, was the European vote. If this matter is settled as now appears likely, then this difficulty also goes.

The second and remaining difficulty relates to the proposals for the provisional Government which have to be considered together with the statement. The two cannot be separated. These proposals have thus far been unacceptable to us, but if a satisfactory settlement in regard to them is arrived at, we would be in a position to shoulder the burden.—Abul Kalam Azad.

The Viceroy's letter to the Congress President dated June 16, 1946, along with a copy of the statement of June 16 has already been published.

**Letter from the Congress President to the Viceroy dated June 18, 1946:—**

Dear Lord Wavell,—I promised to write to you this evening in case my Committee had come to any decisions. The Committee met this afternoon and sat for many hours. In the absence of our colleague, Khan Abdul Gaffar Khan, who is due to arrive tomorrow morning, we decided to adjourn till tomorrow. I am, therefore, not in a position this evening to convey to you any decision. I shall communicate with you as soon as my Committee arrives at any conclusions.—Abul Kalam Azad.



**Letter from the Viceroy to the Congress President dated June 20, 1946:**

Dear Maulana Sahib,—You will, I am sure, appreciate that the members of the Cabinet Mission have a great deal of urgent work awaiting them in England and are not in a position to prolong their stay in this country indefinitely. I would, therefore, ask your Working Committee to let us have a final answer as soon as possible to the proposals made in our statement of June 16th.

I understand that you have summoned back the members of the Committee who had left Delhi and in these circumstances we would ask you to let us have your answer not later than Sunday, June 23rd—Wavell.

**Letter from the Congress President to the Viceroy dated June 21, 1946:—**

Dear Lord Wavell,—I have Your Excellency's letter of June 20. I appreciate your anxiety to come to an early decision regarding the formation of an Interim Government and I can assure you that my Working Committee fully share your anxiety. A new difficulty, in addition to the old ones, has, however, been created by the publication in the press of the alleged contents of Mr. Jinnah's letter to you in which he raises objection to the Congress nominations in the Interim Cabinet. It will be of great assistance to the Working Committee in coming to a decision if they could have copies of these alleged letters and your reply thereto, as they deal with vital matters which we have to consider,—Abul Kalam Azad.

**Letter from the Viceroy to the Congress President dated June 21, 1946:—**

Dear Maulana Azad,—Thank you for your letter of today. Mr. Jinnah in his letter to me of 19th June put to me the following questions:

1. Whether the proposals contained in the statement for the setting up of an Interim Government are now final or whether they are still open to any further change or modification at the instance of any of the parties or persons concerned:

2. Whether the total number of 14 members of the Government as proposed in the statement would remain unchanged during the interim period:

3. If any person or persons invited as representatives of the four minorities, 'viz.' the Scheduled Castes, the Sikhs, the Indian Christians and Parsis, is, or are, unable to accept the invitation to join the Interim Government for personal or other reasons, how will the vacancy or vacancies thus created be filled by the Viceroy, and whether in filling up the vacancy or vacancies the leader of the Muslim League will be consulted and his consent obtained:

4. (a) Whether, during the interim period for which the Coalition Government is being set up, the proportion of members of the Government communitywise, as provided in the proposals, will be maintained.

(b) Whether the present representation given to four minorities, 'viz.' the Scheduled Castes, the Sikhs, the Indian Christians and the Parsis will be adhered to without any change or modification: and

(5) in view of the substitution of 14 now proposed for the original of 12 and the change made in the original formula, whether there will be a provision, in order to safeguard Muslim interests, that the Executive Council shall not take any decision on any major communal issue if the majority of the Muslim members are opposed to it?

The operative part of my reply dated the 20th June was as follows:

The intention in the statement of June 16 was that the discussion of portfolios with leaders of the two main parties should follow the acceptance by both parties of the scheme. This intention still holds, since until the names are known it is difficult to decide on the distribution of portfolios.

On the points which you desire to be made clear in connection with the Government to be formed under our statement of June 16, I give you the following reply after consultation with the Delegation:

1. Until I have received acceptances from those invited to take office in the Interim Government the names in the statement cannot be regarded as final. But no change in the principle will be made in the statement without the consent of the two major parties.

2. No change in the number of 14 members of the Interim Government will be made without the agreement of the two major parties.

3. If any vacancy occurs among the seats at present allotted to representatives of minorities I shall naturally consult both the main parties before filling it.

4. (a) and (b) The proportion of members by communities will not be changed without the agreement of the two major parties.

5. No decision on a major communal issue could be taken by the Interim Government if the majority of either of the main parties were opposed to it. I pointed this out to the Congress President and he agreed that the Congress appreciated this point.—Wovell.

Letter from the Viceroy to the Congress President dated June 22, 1946:—

My dear Maulana Sohli,—I understand from press reports that there is a strong feeling in Congress circles that the party should insist on their right to include a Muslim of their own choice among the representatives of the Congress in the Interim Government.

For reasons of which you are already aware, it is not possible for the Cabinet Mission or myself to accept this request, but I would draw your attention to paragraph 5 of the statement of the 16th June, which reads as follows:

“The above composition of the Interim Government is in no way to be taken as a precedent for the solution of any other communal question. It is an expedient put forward to solve the present difficulty only, and to obtain the best available Coalition Government.”

In the light of this assurance that no precedent is established, we appeal to the Congress not to press their

demand, but to take part in the strong Interim Government which the country so urgently needs.—Wavell.

**Letter from the Congress President to the Viceroy dated June 24, 1946:—**

Dear Lord Wavell,—I have just received the telephone message sent on your behalf asking me to communicate immediately the decision of the Working Committee in regard to the proposals for the Provisional Government. The decision was in fact taken yesterday but we felt that it would be better if we wrote to you fully on all aspects of the proposals made by you and the Cabinet Delegation. The Working Committee have been sitting almost continuously, and will be meeting at 2 p.m. again today. After full consideration and deliberation they have been reluctantly obliged to decide against the acceptance of the Interim Government proposals as framed by you. A detailed and reasoned reply will follow later.—Abul Kalam Azad.

### **CORRESPONDENCE BETWEEN MR. JINNAH AND VICEROY**

The following is the text of the correspondence that passed between Mr. Jinnah and the Cabinet Mission.

**Letter from Mr. Jinnah dated New Delhi, June 19, 1946:—**

Dear Lord Wavell,

I am in receipt of your letter of June 16, together with an advance copy of the statement by the Cabinet Delegation and yourself of the same date.

In my interview with you at Simla prior to the announcement of the Cabinet Delegation's proposals, you had informed me that you were going to form the Interim Government consisting of 12 members on the basis of five Muslim League, five Congress, one Sikh and one Indian Christian or Anglo-Indian. As regards the portfolios, you had indicated that the important ones would be equally divided between the Muslim League and the Congress,

terim Government as a whole and as against the Congress as a single group;

(d) that in view of the serious changes which have, from time to time, been made to satisfy the Congress, it is not possible for the Working Committee to arrive at any decision in the matter of the formation of the Interim Government so long as the Congress does not finally convey its decision on the proposals to you; and

(e) that the question of distribution of portfolios should also be finally decided so that there may be no further hitch created by the Congress in this regard and the Working Committee may have a complete picture before them when they meet to consider the proposals.

Further, I shall be grateful if you will please make the following points clear with reference to your letter and statement of June 16;

1. whether the proposals contained in the statement for the setting up of an Interim Government are now final or whether they are still open to any further change or modification at the instance of any of the parties or persons concerned;

2. whether the total number of 14 members of the Government, as proposed in the statement, would remain unchanged during the interim period;

3. If any person or persons invited as representatives of the four minorities—namely, the Scheduled Castes, the Sikhs, the Indian Christians and the Parsis—is, or are unable to accept the invitation to join the Interim Government for personal or other reasons, how will the vacancy or vacancies thus created be filled by the Viceroy; and whether in filling up the vacancy or vacancies the leader of the Muslim League will be consulted and his consent obtained;

4. (a) whether, during the interim period for which the Coalition Government is being set up, the proportion of members of the Government, community-wise, as provided in the proposals, will be maintained;

(b) whether the present representation given to four minorities—namely, the Scheduled Castes, the Sikhs, the Indian Christians and the Parsis—will be adhered to without any change or modification; and

5. in view of the substitution of 14 now proposed for the original 12 and the change made in the original formula, whether there will be a provision in order to safeguard Muslim interests, that the Executive Council shall not take any decision on any major communal issue if the majority of the Muslim members are opposed to it.

I trust that you will kindly favour me with your reply as early as possible.

Yours sincerely,  
M. A. Jinnah.

### Letter to Mr. Jinnah from the Viceroy

, DELHI June, 20 1946

Dear Mr. Jinnah,

I thank you for your letter of June 19, which I have shown to the Cabinet Mission.

I do not think it is necessary for me to comment on the first part of your letter. I am sure you will appreciate that negotiations designed to secure acceptance by two parties with conflicting interests may not always end on the same basis as that on which they began. And, as you know, I never gave you any guarantee that they would necessarily be concluded on any particular basis.

I note the views of the Muslim League set out in paragraphs (A) to (E) of your letter.

The intention in the statement of June 16, was that the discussion of portfolios with leaders of the two main parties should follow the acceptance by both parties of the scheme. This intention still holds, since until the names are known, it is difficult to decide on the distribution of portfolios.

On the points which you desire to be made clear in connection with the Government to be formed under our

We are quite unable to accept your suggestion that we have gone back on our word. As I have said in a letter to you earlier today, our course of action was determined by what had been laid down in Paragraph 8 of the statement of June 16, and we had made it plain to you before your Working Committee meeting of the June 25, that we proposed to follow this course.

The arrangements for the election to the Constituent Assembly have already been put into operation and we do not propose to postpone them.

As the substance of your letter was included in the All-India Radio news today, I am publishing this reply.

WAVELL.

## MORE LETTERS BETWEEN JINNAH AND VICEROY

NEW DELHI, June 29.

Further correspondence between himself and the Viceroy is published today by Mr. Jinnah.

The correspondence is released as part of a statement issued by Mr. Jinnah in which he complains that some and not all of the letters that passed between him and the Viceroy on the Interim proposals have been published.

Mr. Jinnah's statement reads:

The Cabinet Delegation and His Excellency the Viceroy have thought fit to release only a few letters torn from the rest of the correspondence that passed between me and the Delegation and the Viceroy, which have a very important bearing on the present controversy.

(1) The Viceroy did make a clear representation to me that he would proceed to form his Interim Government on the basis of the formula 5:5:2, i.e., five representatives of the Muslim League, five of the Congress, one Sikh and one Indian Christian or Anglo-Indian, and, as regards the portfolios, the most important portfolios will be equally divided between the League and the Congress in distribution thereof, further details being left open for

discussion. The Viceroy further authorised me to make that representation to my Working Committee and the Council of the All-India Muslim League, which I did, and it was on that basis that both the Working Committee and the Council were induced to accept the long-term plan and the proposal for the Interim Government, together as a whole.

This formula had a vital bearing and did greatly weigh with the Council of the All-India Muslim League in coming to their final decision, which was communicated to the Viceroy on June 7. Immediately thereafter sinister agitation was set on foot by the Congress press against this formula and I informed the Viceroy by my letter of June 8, by way of caution, that there should be no departure from this formula. Below is the full text of this letter which speaks for itself.

**Letter from Mr. Jinnah to the Viceroy, dated June 8, 1946:—**

Dear Lord Wavell—During the course of our discussions regarding the Interim Government at Simla and thereafter at Delhi on June 3 after my arrival and before the meeting of the Muslim League Working Committee took place, you were good enough to give me the assurance that there will be only 12 portfolios, five on behalf of the League, five Congress, one Sikh and one Christian or Anglo-Indian: and that, as regards the portfolios, the most important portfolios will be equally divided between the League and the Congress in the distribution thereof, further details being left open for discussion.

With your previous permission I informed the Working Committee of this assurance and this was one of the most important considerations which weighed with them together with the statement of the Cabinet Mission. These two together formed one whole and, as such, the Council of the All-India Muslim League has given its final decision on June 6. I may further inform you that, similarly, I had to repeat the assurance to the Council before they finally gave their approval. As you know, the meeting of the All-India Muslim League Council was





